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The Individual and the Community

A Historical Analysis of the Motivating Factors of Social Conduct

BY

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Dedicated with Gratitude to
My Teachers
Eastern and Western

TABLE OF CONTENTS

CHAP. PAGE

PREFACE ii

I. INTRODUCTION 1

A SCOPE AND PURPOSE. 1
B. DEFINITIONS 2
C METHODS AND PROBLEMS . . . 3

II. COMMUNITY VERSUS INDIVIDUAL: FACTORS AND APOLOGISTS OF SOCIAL UNITY IN THE ANCIENT AND MEDIAEVAL WEST . . . 8

A CULTURAL CAUSES AND GREEK THEORIES . . 8
1 The Cultural Unity of the Ancient Greeks 8
2 Plato's Personal Monism . . . 10
Development of Moral Personality . 10
Virtue as Foundation of Law and Government 12
3 Aristotle's Social Monism . 15

B EFFECTS OF POLITICAL FORCES UPON LATER GRAECO-ROMAN THOUGHT . 19

C RELIGION AND THE HEBREWS 25
1 Moses' Religious Legalism: Its Origin and Development . . . 25
2. Beginnings of Monism. Prophets versus Priests 27
3. Christian Monism versus Jewish Legalism 30
From Revolt to Reform . . . 30
Monism on Earth . . . 32
Legalism in Heaven . . 34

D TRADITIONAL CONTROVERSY BETWEEN MEDIAEVAL CHURCH AND STATE . . 36
Reappearance of Religious Legalism . 36
Religion versus Politics—St. Augustine . 37
Rivalry between Church and State . 38
State as Subordinate to Church—Thomas Aquinas 39
State as Co-ordinate with Church—Dante 41

CHAP. PAGE

III. INNER FREEDOM VERSUS OUTER AUTHORITY: EMPHASES BY PRE-KANTIANS AND KANT AS TO THE BASIS OF CONDUCT 43

A. PIONEERS 43

Modern Revolt against Mediævalism . 43

Political versus Religious Despotism—Machiavelli 45

Moralism versus Legalism in Religion—Luther 46

Rise of Issues between Monarchism and Anti-monarchism . . 48

B. SYSTEMATIZERS 51

1. Legality as Source and Criterion of Morality—Hobbes 51

Hobbes as Impressed by His Community 51

Hobbes in Reaction to His Community . 53

2. Morality and Legality as Different Aspects of Social Conduct—Spinoza . . 56

3. Legality as Subordinate to Morality—Locke 59

4. Morality or Legality as Primarily Due to Physical Surroundings—Montesquieu . 64

5. Naturalness as Source and Criterion of Morality and Legality—Rousseau . 66

C. KANT 70

Regulative Use of Pure Reason 70

Morality versus Legality . . . 73

Moralism and Education . . 77

Legalism and Government . . 80

IV. THOUGHT IN THE LIGHT OF KNOWLEDGE: POST-KANTIAN APPROACHES TO THE ANALYSIS OF THE MOTIVATING FACTORS OF CONDUCT 87

A. THE ETHICAL APPROACH—FICHTE . . 88

Fichte's Ethical Conception of the Ego . 88

Fichte's Stress on the Ethical Function of Social Institutions 91

B. THE LOGICAL APPROACH—HEGEL 94

The Dialectic Movement of the Absolute Mind 94

The Objective Spirit and the Function of Reason 96

Ethical Observances in Social Institutions 99

CHAP. PAGE

C. The Economic Approach—Marx . . . 103
Economic Determinism . . . 103
Economic Basis of Law and Morals . 106
Ideals as Guides of Conduct . . . 108

D. The Positivistic Approach—Comte . . 110
Human Knowledge at the Positive Stage 110
Conditions of Order and Progress in Human Society 113
The Religion of Humanity . 117

E Various Applications of Utilitarians . . 119
1. The Psychological Approach—Bentham . 119
Phases of Action Psychologically Analysed 119
Sanctions of Action Enumerated . . 124
2 The Socio-ethical Approach—J S Mill . 129
3 The Evolutionistic Approach—Spencer . 135

V. Individual versus Community: Means of Social Control Propounded by Ancient Chinese Thinkers 140

A Traditional Basis of Social Order in Ancient China 141

B Moralism through Cultural Creeds—Confucius and His Adherents . . 156
1 Traditional Moralism—Confucius . . 156
Ways of Ancient Kings. Morals and Mores 156
Virtues and Motives of Conduct . . 159
Educational Functions of Domestic and Political Institutions 163
2. Intrinsic Moralism—Mencius . . . 167
Dictates of Conscience: Innate Moral Ideas 167
Objects of Benevolent Government . 170
3 Extrinsic Moralism—Hsün Tzu . . 174

C Intellectual through Natural Tranquillity—Lao Tzu 180
Ways of Self-repose as Means of Self-control 180
Ways of Group-repose as Means of Group-control 184

D. Economy through Cultivating the Selves—Yang Tzu 186

CHAP. PAGE

E. Allegiance According to the Will of Heaven—Mo Tzu 190
Universal Dictates of the Will of Heaven 190
Principles of Political Control . . . 194
F. Legalism versus Imperial Dispensions—Kuang-tzu Yang 197
Legalism versus Moralism in Practice . 197
Legalism versus Moralism in Theory . 200
Principles of Despotic Government . 205

VI. Ideas versus Institutions: Agencies of Social Order in the Mediaeval East . 210

A The Ascendancy of Confucianism . . 212
Fall of Legalism . . 214
Struggle for Supremacy . . . 216
Triumph of Confucianism . . 219
B The Degeneration of Taoism . 223
C The Technique of Buddhism 231
1 Hinduism Back of the Hindu Community . 231
2 The Convincing Mysticism of Gautama Buddha . . . 240
Life is Suffering . 240
The Cause of Suffering 243
The Cessation of Thirst 246
Public Ministry through Convincing Zeal 248

VII. Points of View through Frames of Mind: Factors of Conduct Elaborated by Modern Chinese Thinkers . . . 254

A The Metaphysical Elaboration—Chu Hsi . 255
1 Political and Intellectual Background . . 255
2 Chu Hsi's Theory of Human Nature and Conduct 259
Ethical Trends in Metaphysics . . 259
Metaphysical Bases of Psychology and Ethics 261
Rational and Intellectual Factors Emphasized in Practical Ethics . . 265
B The Psychological Elaboration—Wang Yang-ming 267
Mind is Reason 267
The Intuitive Knowledge of Good . . 271
Basis of Self-cultivation . . . 272

CHAP. PAGE

C. The Historical Approach to Political and Legal Problems—Hsiao Li-chieh . 274

Huang Li-chun Impressed by His Community 274

Huang Li-chun in Reaction to His Community 276

D The Ecological Approach to the Problem of Right against Might—Sun Yat-sen 279

Self-determining Nationalism versus Territory-hungry Imperialism . . 279

Real Cosmopolitanism versus Disguised Imperialism 287

Moralism versus Despotism . . 289

Culturalism versus Observantism . 293

VIII. Conclusion 298

Selected Biography 303

Index of Names 309

PREFACE

Social determinism is as specious as economic determinism. Not a determinist myself, I believe that the individual, while essentially determined by the community, can become a guide of it, though only by chance. Chance is not to be predicted, but can be expected. It is instant but not constant. So is freedom. Freedom is casual, determinism usual. It is a truism that in the interaction of the individual and the community the many remain at the mercy of the environment while few can dominate over it. Underlining that interaction, there are various threads woven together as social bonds. These ties of human society may be moral or immoral or unmoral; or they may be legal or illegal or non-legal. Whatever they may be, with them the community disciplines the individual. The individual rarely breaks such chains binding the group either because it is impossible or because it is unnecessary.

The problem of morality against legality has been interesting to me almost since I became fairly able to read Chinese Classics. It is still fresh in my mind that in my kindergarten age I used to repeat: "Mencius discussed moralism, Lord Shang practised legalism." Later on, while taking the undergraduate work at the University of Nanking, I felt immensely attracted to Kant's clean-cut distinction between morality and legality from the first time I studied his ethical teachings. It was, however, not until I happened to study Professor G. H. Mead's illuminating theory of social psychology at the University of Chicago that I began to cherish the idea of making a systematic study of the interaction of the individual and the community with specific reference to the problem of morality against legality. The study thus carried out in the following chapters is the embodiment of that idea. To the course of this study, however, there occurred a side issue, and that is the problem of chance. Therefore, side by side with the attempt to make a proof of the proposition that the individual is essentially a product of the community, and yet may by chance become

a guide of it, I have had a remote vision in view, that is, to set forth in the concluding chapter a life-view that "Life is chance".

While there are several approaches to the subject of this study, it was largely due to Professor J. H. Tufts' advice that I definitely chose the historical before the psychological approach. True, through the historical approach there can be made a fairly objective and comparative survey of different efforts to solve the same problem in the past, which will no doubt bring effects upon any present or future work in the same field. Moreover, in the light of the increasing contact between Eastern and Western channels of thought, it seems desirable if I can bring together into a unity the analyses of the motivating factors of social conduct made by eminent thinkers, Chinese and Hindu, as well as Hellenic and Semitic.

Under Professor Tufts' guidance I formulated the whole plan. And, in the tentative analysis of the motivating factors of social conduct I made in the introductory chapter, my classification of the factors into three groups—spontaneous, regulative, and adaptive—apparently derived its suggestion from his division of the course of moral evolution into three stages—instinctive, customary, and reflective—in his *Ethics*, written in collaboration with Professor John Dewey.

While dealing with Eastern thinkers, Chinese in particular, I encountered more than one difficulty in matters of translation and transliteration. In the citations from their works, I have mostly availed myself of the English translations already completed. Yet on account of the great difference between English and Chinese, I have had to use them with the original texts side by side, and passages quoted from them were often improved and adapted without special indications which seemed to me quite unnecessary. As to matters of transcription, I have followed for Chinese the famous Wade's system only with slight variations, and for Pali and Sanskrit those adopted by popular writers.

The work thus extending over such a vast field, I am so much indebted to a number of teachers and friends that I can hardly relate each in detail here. It was to my deep regret that Professor Tufts retired last Christmas, when I had done one quarter of the whole work, and that

Professor Mead passed away last April before I completed it. Nevertheless, the timely visit of Professor A. P. Brogan from Texas to Chicago in the winter and spring quarters, 1931, did bring a new encouragement and fresh improvement to the work which was completed on the eve of his departure. I am also obliged to Professor E. A. Burtt for the various suggestions he made in regard to the scope and nature of the study; and to Professor A. E. Haydon of the Department of Comparative Religion, who kindly extended his help beyond departmental boundaries in making valuable comments upon my treatment of Chinese and Hindu thinkers in this work. Likewise, I must thank Messrs. Li Jen-tao and Wang Fung-Chiai for their friendly encouragement and scholarly stimulation in the study of the historical development of Eastern and Western thought. Finally, though I made the bibliography of Eastern philosophers largely at the Columbia University Library, New York City, and the Congressional Library at Washington, D.C., during my eastward trip last summer, I must not forget to acknowledge my indebtedness to my younger brother, Mr Liao Wen-i, who has sent me from Nanking, China, most of the source-materials for the Eastern part wanted since I started this writing towards the close of last October.

W. K. LIAO.

CHICAGO, ILLINOIS.
15th June, 1931.

CHAPTER I

INTRODUCTION

A SCOPE AND PURPOSE

The objective of this study is not to deal with the traditional interpretations of the relation between law and morals in particular, but to trace how eminent thinkers in the West and the East have attempted to analyse the motivating factors of social conduct as judged to be either legal or moral or both; and, in so doing, to inquire into the interaction of the community and the individual through historic studies and comparative investigations. It therefore implies a twofold aim in view: comparatively, to study those eminent thinkers' analyses of the motivating factors of social conduct; and historically, to study how each one as an individual member is determined by his community and how he as an intellectual leader reacts upon it.

That the individual is essentially a product of the community, and yet may by chance become a guide of it, forms the starting proposition of the whole study.

The physiological constitution of the individual is determined by heredity and environment, his outlook of life and frame of mind, largely by his social circumstances. Since there are never two individuals mentally and physically alike, everyone has his own peculiar biography woven out with his personal assets bequeathed by his natural and social circumstances. His "self" is nothing but the accidental composite of such personal assets determined by certain definite factors. Thus, the biography of Goethe vividly reflects certain currents having their original fountains in his natural and social circumstances. Equally in health, wealth, genius, knowledge, demeanour, and longevity, he had a chance of which he made the best use he could. Life is chance—a chance combination of certain unrelated factors. From the cradle to the grave everybody carves out through thick and thin a unique career through his natural and social circumstances.

While the primary interest of this work lies in each individual's analysis of the motivating factors of social conduct with his interaction with the community in the background, since different communities discipline their members by different means and through different institutions, and since different individuals react upon their communities in different ways, if each individual reflects his environment at all, how much more vividly his analysis of the motivating factors of social conduct as judged to be either moral or legal or both, will at the same time reflect the ways his community disciplines him and his fellow members as well as the way he adjusts himself to it If he is used to solving problems in the light of his intellectual background and through his frame of mind, and if philosophy is the completely and consistently unified knowledge, such a practical problem as that of the motivating factors of social conduct, every great philosopher, whether in the East or in the West, must needs solve in connection with his whole system of thought. Therefore our main task in the following chapters is to describe and interpret how every great historic analysis of the motivating factors of social conduct reveals a peculiar phase of the interaction of the community and the individual.

Because few of the thinkers ever made the analysis of the motivating factors of social conduct the subject of any special investigation and exposition, it is prerequisite to the interpretation, as well as description, of their solutions of the problem that a preparatory working out of certain definitions should be attempted with a tentatively generalized solution of the problem

I DEFINITIONS

However unique the individuality of everybody may be, society is unity in diversity. The community, composed of interacting individuals, each with his own peculiar biography, depends for its unity upon the common observance by its members of certain creeds or patterns prevailing as the binding ties of their group life. Every member newly admitted into the community has to learn to conform his behaviour to its social patterns. Thus social life always means education. The transition from

spontaneous action to action well regulated by group disciplines continually goes on until the behaviour of a newborn hungry baby might eventually develop into the conduct of a veteran diplomat at an international banquet. *Conduct* is then action regulated by creeds prescribed by some impelling factor whether it be the church or the school or the state or the individual's conscience. Every phase of human conduct carried in response to the community is necessarily found in accord with the dictates of some one factor and at the same time may be in discord with those of some other factor It is *social* in so far as it proves contributive to the process of group life; and anti-social if ultimately detrimental thereto. Milton might have regarded his own action in revolting against the government of the Stuart dynasty as social conduct on the ground that although in discord with the previous creeds of the state, it was carried out in full accord with the cherished ideals of his fellow Puritans as well as with the dictates of his own conscience, and that in the long run it would prove contributive to the process of the group life of his community

Underlying all human action, there are various factors, which in function now co-operate as friends and then compete as foes. These may be classified into three groups: first, *spontaneous factors* such as the impulses of self-preservation and species-perpetuation; second, *regulative factors* such as the family, the church, the school, and the state; and third, *adaptive factors* such as the perceiving, feeling, knowing, judging, and reasoning, activities of the mind which in the form of "conscience" functions in moral situations They are altogether the *motivating factors of social conduct*. Social conduct therefore always conforms to the dictates either of all these factors or of some of them or of only one of them

The various ways in which these impelling factors determine the action of the individual in the community, may be entirely similar and may be incompatibly different. Through promises of reward or through threats of punishment or through allowances for preferential choice or through tolerance for self-determination, human action is regulated by the dictates of the motivating factors The ways of determination or the principles of motivation

become "internalized" or "subjectified" as *motives of conduct* as soon as the individual begins to conform his action to the social patterns of his community. It is primarily these competing motives of conduct as found in the sense of fear, of hope, of love, or of duty, that are to answer the question as to whether social conduct is *legal* or *moral*. This is the *intrinsic differentiation* of morality from legality.

Extrinsically, the morality and the legality of social conduct are differentiated by the patterns—either moral or legal—to which action conforms. Intrinsically, however, they are differentiated by the ways of determination on the part of the disciplining community and simultaneously by the modes of obligation on the part of the self-adjusting individual, although both of them are equally derived from the conformity of action to social patterns. They do not necessarily refer to the actual consequences of conduct. The nature of its motive alone can determine them. The conduct carried in conformity to the Ten Commandments or to the precepts of the Twelve Tables, is legal if simply viewed from the extrinsical standpoint, and moral if the dictates of the normative factors coincide with those of the adaptive factors or are approved by conscience. In case the individual encounters too much conflict between the normative and the adaptive factors, too much discrepancy between the dictates of his own conscience and the laws of the state, for instance, he will react upon that environment in some definite way. That is to say, in such a situation he has to readjust himself socially, which may take any of such processes as subjugation, submission, harmonization, desertion, isolation, and repudiation. Hence, the rise of the debate on the question as to the right of revolution on the part of the individual against any social institution within his community, and also the justification of that right on moral and legal bases.

Throughout our whole historic analyses of the motivating factors of social conduct "morality" and "legality" are through and through taken not in the substantive but in the attributive sense. Social conduct is legal in so far as its motive is imposed from without through compulsory determination by means of threats and promises, and its process takes the form of involuntary observance of external

rules. Owing to the enforceability of its creed by outer authority, legal conduct can thus claim its certainty in principle, uniformity in character, universality in application, and communicability throughout the whole community. Yet, it involves no self-element in any wise so that it is always liable to external formality, irrational habit, and automatic imitation. Directly contrary to this, moral conduct is voluntary self-expression from within in consequence of deliberate judgment and self-determination with the dictates of conscience as its norms. It finds its basic motive in those of self-sacrificial love and self-avowing duty with its final controlling intent avoiding no risk and winning no gain. It is not to be enforced and compelled but to be persuaded and convinced The morality of social conduct thus implies privacy in principle, rationality in nature, individuality in application, and initiative in the group life of the community. However, since its personal liberalism may tend to self-sufficiency and exclusiveness, moral conduct is liable to resort to mere self-approbation of a hollow conscience

C. PROBLEMS AND METHODS

To the problem of morality against legality there can be taken at least four main approaches—philosophical (or, to be more exact, metaphysical), psychological, sociological, and historical. In this study we are going to take the historical approach. In favour of the proposition that the individual is essentially a product of the community, and yet may by chance become a guide of it, different arguments can be advanced. If the whole work undertaken in this study be a proof of the proposition at all, it must be a historical one with specific reference to the problem of morality against legality Such being the case, in the various treatises as found in the following chapters there will be brought out evidences of proof by enumerating different social orders as well as individual analyses of the motivating factors of social conduct.

By taking the historical approach we shall follow individual thinkers as well as the social and intellectual background of each of them in chronological order as closely as possible, first in the West and then in the East.

Moreover, we must deal with each thinker not only in the light of his social environment and personal career but particularly in relation to his precursors and followers. Finally, to specify a group of thinkers who lived and taught in a special period of history, we shall characterize that period with terms designating some specific phase of the interaction between the individual and the community.

Just as every historian must be fair and just in dealing with any personal figure or group of people whoever appeared in the history in question, he who takes the historical approach to any particular problem by enumerating the unique solutions offered by different writers and thinkers, must dwell firmly upon the impartial standpoint and assume the attitude of *Einfühlung* to any one of them With responsibility he must speak on behalf of the thinker who can no longer speak. With authority he must act as a fair spokesman of him. To describe the environmental factors of any ancient system of thought in terms of modern social forces is as false as to picture King Solomon dressed in an evening coat. Therefore the guiding principle of anyone who takes the historical approach must be "struggle for objectivity".

If the study proceeds according to the historical approach, it ought to be more suggestive than exhaustive, especially so since it is unnecessary, if not impossible, to exhaust the historical catalogue of names, ideas, theories, and institutions What it must hit is those specific points conducive to the goal aimed at Therefore, details must be subordinated to fundamental ideas, and repetition must be suppressed while initiation must be elaborated with stress

The comparative method proves helpful to the historical approach the more so when the whole procedure expects to be objective and suggestive. By using the comparative method, the study will eventually centre around those vital points as concerned with the aim in view, and points of difference as well as similarity will come more and more to the fore. Furthermore, it is only by means of the comparative method that one may expect to weave on the same loom threads of thought which are in origin entirely irrelevant to one another, and analyse them into similar categories or subsume them under common headings.

Most important among all, the comparative method always points to the account for the factors of differences. True, since there are certain characteristic differences among the four main channels of philosophic thought in the world—the Semitic and the Hellenic in the West, and the Hindu and the Chinese in the East. We might then ask ourselves, what are the underlying forces of such differences if mankind can claim to have descended from the same ancestry at all? In reply the comparative method at once leads us directly to their differences in natural and social environment It admits of no doubt that each intellectual response to life in relation to the world, so long as it is moulded up by a unique phase of environment, natural and social, must take a unique form.

What is true of the general problems of philosophy is also true of the particular problem of morality against legality Different social orders developed amid different natural surroundings rest upon different bases and produce diverse types of theory The same environment full of diverse stimuli can call forth diverse types of response, too On the other hand different individuals react upon the same community in different ways and may attempt to transform it through different means of control. Likewise, the same individual on expressing himself before his environment has the freedom of preferential choice between alternative modes—between morality and legality. So he chooses between different approaches to the same problem So we choose to take the historical approach to the problem of morality against legality and use the comparative method to keep it objective and suggestive in the hope that we may arrive at genuinely fruitful results.

In the conclusion there will eventually arise a side issue, and that is the question as to the factors of progress. It is no surprise that whoever believes the individual to be essentially a product of the community will at once raise that question: Why progress has been possible? In answering such a question we will be led to the problem of chance—the inevitable side issue. While it is not the objective of this work to discuss this problem in detail, some observation of the rôle chance plays in the course of cultural development and social evolution will prove contributory to the starting proposition and helpful to the proof of it.

CHAPTER II

COMMUNITY VERSUS INDIVIDUAL

Factors and Apologists of Social Unity in the Ancient and Mediaeval West

With the *Factors and Apologists of Social Unity in the Ancient and Mediaeval West* for illustration, this chapter attempts to trace how different communities based on different factors of social unity produce different types of mind. Herein we aim to consider such problems as are concerned with the formation and development of different social orders amidst dissimilar natural surroundings, the diverse underlying grounds of social unity among different peoples, the dominant means of social control in their group life, and finally—yet most important of all—the leading types of theory formulated by outstanding apologists with regard to their current social and practical problems. We shall first consider the Greeks, then the Romans, then the Hebrews, and lastly the mediaeval Christians. We deem it legitimate to take into greater account than anybody else Plato and Jesus because their teachings have underlain Western culture and institutions of posterity.

A CULTURAL CREEDS AND GREEK THINKERS

1. *The Cultural Unity of the Ancient Greeks*

The social unity of the ancient Greeks was essentially a cultural one. While migrating into Greece and reducing to slavery the previous inhabitants they had conquered from the antiquity of 1600 B.C., the Hellenic tribes discarded the ancient Ægean civilization and upon its ruins put their own. Urban life having displaced nomadic life, Greek civilization started from the city organization at once. On account of the topography of the Greek peninsula, the Hellenese had to remain scattered autonomous communities. They could scarcely enjoy any political unity held by themselves. Even the short-lived Macedonian Empire, under which, no doubt, all the city-states had been once brought together, disintegrated upon the death of Alexander in 323 B.C. Their culture, however, while developed in

different cities, was a unity wrought out of diversity; it was a product of their common interests and ideals, and in consequence became the common basis of their social order.

Religion failed to furnish the Greeks with any firmly established social bond as it might have done elsewhere. The religion of the ancient Greeks did not develop any priesthood or institutional centre, having no sacred books like the Bible or the Vedas and no authoritative system of ecclesiastical teachings. Religious practice was rather a function of the family and the city-state. The Olympian gods and goddesses were more human in shape and temperament than divine; they were, as depicted by Homer in his *Iliad* and *Odessey*, by no means morally superior to the Greek people. The epic poems of Homer as well as the tragedies of Æschylus, the comedies of Aristophanes, and the like, however, at least unified the scattered Greeks in their common attitude of literary creation and appreciation The centre of Greek culture was the "noble man"—man elegantly considered. Indeed, it was literature, art, science, and philosophy, the characteristic cultural attainments of ancient Greeks, that maintained the social unity of the people while they were dispersed in the mutually independent and sometime jealous city-states.

Characteristic of the mentality of the Greeks was their faith in intelligence and love of wisdom. Religious ideas naturally failed to form either the starting-point or the basis of Greek speculation. The divine personalities found in the Homeric poems were repudiated by many a philosopher of later times as fanciful or fictitious Aside from all sorts of religious bias all eminent Greek thinkers from Thales onward attempted to develop genuine philosophical systems. Though the age was not one of great intellectual discoveries, yet they had the ability of abstract generalization in clarifying and organizing any material bequeathed by their predecessors or accumulated from abroad. At the beginning they considered the problem of the ultimate reality of the universe; then the problem of change therein involved. Meanwhile, they came to attack the problems of knowledge and conduct. It was not until the social order and unity of the people was challenged by disruptive forces from without and within that great thinkers like Plato and

Aristotle began to take seriously such practical problems as that of the motivating factors of conduct in both private and public life. Therefore, the faith of the Greeks in intelligence and love of wisdom saw its full bloom in Plato and ripe fruit in Aristotle. Philosophy was the most enduring cultural factor of their social unity. In their legacy that has enriched the culture and learning of subsequent generations, philosophy is, no doubt, their highest pride.

Since society for the Greeks was the city-state, in which alone they could realize their social and ethical life, no Greek thinker ever made a clear distinction between "state" and "society", "political" and "social", "legal" and "moral". Legalism was in effect subordinated as a means to moralism—moralism at least among the "citizens". Such a conception actually dominated the social and ethical teachings of Plato and Aristotle. The prejudice of the Greeks against the conquered people led to the rise of the institution of slavery, which both these thinkers justified. Their close association of the individual with the state reflects the fact that among ancient Greeks the typical member of society was the citizen of the ruling class. So does their conception of laws made by men and for men. The frequent conflicts between city-states as well as social vices found therein, and, what was more, the hidden enmity between the Greeks and the surrounding "barbarians", brought out the problems of national security and prosperity as well as of human conduct and social organization to which the attention of many a thinker was eventually drawn.

2. *Plato's Personal Moralism*

Development of Moral Personality.—With a deep belief in the power of philosophy to make man and society happy, Plato (427–347 B.C.) advocated the exaltation of moralism as the highest means of social control through the development of moral personality of each individual. His whole philosophical system, with a persistent intention to reform both man and society, was both a fruit and a guide of his age. Most characteristic of it is his life conviction that the philosopher feels it his imperative duty to sacrifice the best of his manhood for public service as a statesman and

legislator, if he has the chance, although the life of serene contemplation of truth forms his supreme happiness. Dissatisfied with the social environment of his day, Plato gave up decisively his own chance for public life, and founded the Academy for his pupils about 380 B.C. He did not believe in democracy on account of his disgust with those who nominally proclaimed themselves democratic while committing lawless violence, as in the case of the condemnation of Socrates, his inspiring master, to death. Throughout his scholarly career he constantly reproached the sophists with their dependence for livelihood upon the fees of their pupils, which was in his eyes intellectual corruption. Therefore, like his master, Socrates, he attempted to find a rational basis for right conduct, on which he developed the entire course of his philosophic thought.

Regarding the motives of human conduct Plato started from his conception of the dualistic character of human nature—the material, physical, and sensual on the one side, and the spiritual, mental, and intellectual on the other. Man is "the soul using the body", and therefore he must subordinate the body to the soul, the lower to the higher elements of his nature. The soul was created by God, and existed in the divine, spiritual world before it became entombed in the body. On account of its divinity the "tendance of the soul" in life—which A E Taylor interprets as the development of moral personality[1] — is the supreme business of both individual and state; and imitation of God is necessary as right and reasonable rule of conduct.

Human nature is essentially good but for the hindrance of the soul by the body. Accordingly, there are two principles of basic motives of human conduct—love of good and love of pleasure. Good and pleasure do not always coincide. The former is spiritual and regulative, the latter largely bodily and spontaneous. In the tendance of the soul pleasure must therefore be disciplined by wisdom, which Plato considers as the highest virtue, the moral insight or right judgment of good and evil. The primary aim of life is to attain to happiness, and true happiness must be a good and virtuous one. Its ultimate goal is the Good which is the highest world-governing power and

[1] Taylor, *Plato*, p. 207, f. 1

purpose; it is the virtue of virtues. As regards the various guiding motives of human conduct, Plato worked out in the *Republic* a scheme of practical and particular virtues—wisdom, courage, and temperance—based on a threefold analysis of the human soul into the rational, the spirited, and the appetitive. The right attribution of these virtues as characteristic to different sections of the community, which brings about a general harmony in character and good order in conduct, Plato describes as "justice". Such virtues as these are *a priori* "forms" or "patterns" which are constituents of reality in the spiritual world; and it is conformity to these patterns that constitutes the basis of right conduct whether social or legal or moral.

As to how to conform our conduct to these *a priori* social patterns, Plato advocates the acquirement of true knowledge, which he regards as virtuous, as the mental attainment by means of which man can function in the way nature meant him to do. This confusion of virtue with knowledge leads Plato to make practically no distinction between will and intellect. The supreme function of knowledge is to lead the conduct of life towards the attainment of the true good—in short, to develop moral personality

Virtue as Foundation of Law and Government.—If conduct finds its end and motive in virtue, the foundation of law and government must be virtue, likewise. Identifying philosophic goodness with knowledge of true good, Plato maintains goodness to be "teachable". Education with music for the cultivation of the mind and gymnastics for the training of the body, is therefore the most significant factor underlying the improvement of conduct and the development of moral personality. As the real object of tending the soul is to make us fit for citizenship both in the temporal and in the eternal world, society as the highest organization of human beings which originates with their perception of its utility, must have as its ultimate purpose the moral education of its members. Thus, in his *Republic*, Plato emphatically contends that statesmanship is nothing but the practice of the tendance of the soul on the large scale, and therefore its indispensable qualification is wisdom leading to knowledge of moral values. It is the science of the right conduct of affairs and the right ménage of life.

The function of the state is to conform its citizens to the various ideal standards of virtue according to their respective individual fitness—the statesmen to wisdom, the warriors to courage, and the workers and the rest to temperance. The laws of the state which originate in the mutual agreement or convention among men who have both done and suffered injustice, are but means serving these moral purposes. Conventional in origin they are sometimes made by the sayings of wise men. Wise men make wise laws. Only a moral hero, a saint, is fit to be a supreme ruler of men; for he possesses enough wisdom and moral insight. The king therefore must be a philosopher. It is the imperfection of men that makes imperfect laws.

With the thought that, if the ruler is mistaken about his own interest in what he commands, and thereby gives law in error, obedience to such commands is not justice, Plato naturally tends to identify the laws of civil right with laws of personal morality or at least to justify the right of resistance on the part of the citizens to tyranny on a moral basis. Politics being included in ethics, the laws of the ideal city-state should realize the moral education of the citizens. Education must therefore be operated under the control of the legislative body. If the character of the citizen is sound, laws are unnecessary; if unsound, laws are useless. The basis of social order is "personal moralism." Law is simply a means to morals: *legality is to be justified by morality.*

In the *Statesman* Plato attempts to decide definitely for constitutionalism and, in particular, to commend limited monarchy. The tyrant rules by forces and threats; but the king is accepted by freemen willingly as their ruler. The law should be supreme over the monarch as over anybody else.[1] Yet, monarchy, the rule of a single person, is the best form of government if it is strictly subject to good fundamental laws. Tyranny is simply the sheer personal rule without laws. The laws should rule in general. The legislator, while unable to provide exactly what is suitable for each particular case, enacts law for the general good. "He will lay down laws in a general form for the majority, roughly meeting the cases of individuals; and some of them he will deliver in writing, and others will be

[1] *Statesman*, 294 et seq.

unwritten; and these last will be traditional customs of the country." [1] All laws based on convention, experience, and sayings of wise men of the age, require renewal in the course of time Nevertheless, even though any reformer knows how the existing laws may be improved, he must first persuade his own state of the improvement, and then he may legislate, but not otherwise [2]

While in the *Republic* Plato looks to an ideal community with wise rulers prescribing wise laws, his *Laws*, in which he sets forth his realistic points of view, clearly refers to the political life of his age. The apparent division of sovereign power between personal rule and public opinion is further developed therein Since the foundation and criterion of law is virtue, those laws, in so far as they tend to promote virtue as a whole, are good The object of such reasonably good laws—of the Cretan laws for instance—is to make men happy [3] The common law of the state is "the sacred and golden cord of reason", and its supremacy is the salvation of the state.[4] Obedience to impersonal law which is the sole sovereign of good government is the necessary attribute of every ruler as well as every subject. Laws are useless unless the rulers have been trained in habits of law. Any change in the manners of the state is easily affected by the example of the ruler in indicating the lines of conduct If the ruler takes the lead, persuasion alone is enough, compulsion unnecessary. The uttermost emphasis on the educational function of the state thus leads to the advocacy of government by example.

In a Platonic community judicial administration is simply a kind of moral education. The purpose of law is partly for instruction and partly for those who refuse to be instructed. In the former case, the impartation of the knowledge of law is necessary. Only the tyrant and never the wise legislator wishes to overawe the subject into obedience by mere threats and promises. The legislator would use persuasion as well as compulsion: he should not merely enunciate an enactment of law and provide it with a sanction in the form of a penalty for transgression, but also try to enlist the sympathies of decent men on the side of the law by prefixing to his whole legislation and to the

[1] Op cit., 793 b.
[2] *Laws*, 631 b.
[3] Ibid., 793.
[4] Ibid., 713 e–715.

principal divisions of it "preambles" explaining that the aims of the legislation and the bases of its enactments are the fairness of the penalties for transgression.[1] These preambles are intended to create goodwill, in the person addressed, towards the law, and to make it more acceptable.

Since the very substantiality of criminal justice, according to Plato, does prove the teachableness of goodness,[2] the true aim of punishment is the reformation of the offender and death is only for the incurable.[3] Since "all wrong-doing is involuntary", the penal code cannot be based on any distinction between voluntary and involuntary, but on the distinction between the causing of hurt or loss, and the violation of a right. This external distinction leads to the consequent distinction between an action for damages and a criminal prosecution. The court can settle the former case by the award of compensation, but in the latter case it must impose upon the offender a penalty intended to make his soul better. Thus in criminal jurisprudence Plato has to choose between the vindicative and educational theories of punishment. He does emphasize the latter on the ground that the judge passing sentence on a criminal is a physician of the criminal's soul.

3. *Aristotle's Social Moralism*

Aristotle (384–322 B.C.), the Greek philosopher who could best organize thought systematically, elaborated his moralism—the legacy of his age as well as of his master—on the basis of the instinctive sociality of human nature. In his thinking the aftermath of Plato's ideas seems inevitable, and yet from the very beginning of his scholarly career he found his disagreement with his master and thenceforth attempted to emancipate his own thought from his master's position which he often criticized so minutely. He founded the Lyceum about 335 B.C. and taught pupils under his own roof. The difference between Platonism and Aristotelianism, however, was essentially due to their difference in intellectual background. The Pythagorean influence upon Plato was clearly reflected in his mathematical way of reasoning. His method was deductive

[1] *Op. cit.*, 718–723 *a*.

[2] *Protagoras*, 323 *c*–324 *d*.

and synthetic, starting from assumptions drawn from contemporary life and experience tinged with Hellenic tradition and mentality as well as with Homeric anthropomorphism. The material for his writing, on the whole, was largely derived from his own intellectual speculation. In contrast with this the early interest of Aristotle in physical science and biology, due to his descent from a medical family, eventually led him to base his scientific inquiry not on the abstractions of mathematics but on the more concrete subject of biology. Political and social chaos in his days naturally drew his attention towards empirical observation. Corresponding roughly to Plato's relation to Dionysius II,[1] Aristotle's association with Alexander the Great of Macedonia greatly intensified his interest in political subjects and also his sympathy for the monarchic form of government. His method was inductive and analytical, his approach biological and objective; although like Plato he had a supreme faith in reason and attempted to conform his thought to rational principles as closely as possible.

Metaphysically Aristotle maintained reality to be "form" expressed in "matter". "Matter" being the principle of potentiality and "form" the principle of actuality, reality is rather a potentiality in the continuous process of actualization. A real human being is therefore the unity of soul and body which is similarly found in a continuous process of actualization. This metaphysical doctrine forms the basis of his analysis of the motives of human conduct, wherefore Aristotle started from his conception of the instinctively social character of human nature and teleological activity of human mind.

Every human act, according to Aristotle, is due to a purpose which belongs to a graded series of motives, such as pleasure, honour, wealth, and contemplation. The highest or supreme purpose is to attain to true happiness, the rational perfection of the self through the control of the intellect over the senses. It is the contemplative life—the enjoyment of wisdom—that is the highest form of mental activity. The virtues concerned with this are

[1] In 367 B.C., Plato even proceeded to Syracuse to convert to a philosophic life Dionysius II, the uncultured, simple-minded, vain and successor of Dionysius the Elder.

intellectual as differentiated from moral virtues, such as courage, temperance, etc. By rational self-perfection Aristotle means the perfect development of human nature which includes (1) a perfect development and true regulation of the feelings and desires in virtue or moral excellence, and (2) a perfect development of the intellectual faculties in mental culture. This is true happiness, and is virtue in action. Since reason is the highest element in the soul, for the philosopher contemplation is the main ingredient in happiness, and the virtue that gives the contemplative life its value is wisdom.

True happiness and virtue are inseparable and virtue depends on three elements—nature, habit, and a reasoned rule of life. Nature is inborn; but habit and a reasoned rule of life are cultivated and it is with these two that education is concerned. Reason often functions against habit and nature, and yet harmony among them is necessary in order to attain to virtue.[1] The ultimate basis of ethical conduct is well-cultivated character which is a habit of rational desire. Knowledge has very little influence upon character whose determination is in the will. The "autonomy of the will" is indispensable to virtue. All moral actions are done, not under compulsion, but with knowledge of the circumstances, and by preferential choice whose object is the result of previous deliberation. Hence, the formation of good habits is the best way to exalt one's character. As to the basic motivating factor of human conduct as involved in the process of self-realization, Aristotle implicitly intimated that since God, the unmoved mover, is the ultimate cause of all motion and development, man's ultimate destiny in the course of self-realization is directed to the nature of God.

The main sources of evil Aristotle found in excess or defect of activity. All action involves a feeling, a capacity, and a disposition. What differentiates virtuous from vicious action is the mean between any two extremes in amount of activity or an intermediate between excess and defect. Desires moving between opposites, a just mean between two opposite errors is virtue. Thus, courage as a virtue is the mean between cowardice (defect) and rashness (excess). Virtue Aristotle defines as "a state of character

[1] Aristotle, *Politics*, Bk. VII, 13, 1332 a 11–1332 b 12

concerned with choice, lying in a mean, i.e. the mean relative to us, this being determined by a rational principle, and by that principle by which the man of practical wisdom would determine it ".[1] The criterion or standard of moral conduct therefore consists in the moderation and guidance of the desires by reason

Since the will in its nature is ethically neutral, every man, in order to transform his natural character into a moral one, must train his will both through habit-formation and through association with his fellow-men. Social life is the natural means to the perfection of the individuals. Man is by nature a political animal; he naturally realizes himself and attains to true happiness through his social relationships. The state is simply a spontaneous development from the family through the village community; it is the highest moral organization for advancing the development of the individual. Just as the state is greater and more perfect than the individual, so is politics wider than ethics and therefore includes it. *Morality is to be justified by sociality.*

Like Plato, Aristotle held to the priority of the educational function of the state and the moral significance of state legislation—the two most important factors which prescribe adequate rules regulating the conduct of the citizens The aim of education is to develop the highest type of responsible citizenship, rather than merely to impart useful knowledge. Since human nature, habit, and reason are all subject to training or control through a broad system of public education, education must be so supervised by the legislative body as to follow the gradual development of the bodily and mental faculties. Though his project of educational legislation is of the similar character as that of his master, Aristotle emphasizes group more than individual training. He maintains that music must be studied not so much for amusement as for the moral influence it exerts upon the feelings, and that the songs and games of Olympus sung and played by crowds do contribute to the cultivation of the social and moral sentiments of the group.

Following Plato, Aristotle argues for virtue as foundation of law and government. The government must be in the hands of one, or of a few, or of the many. But all true

[1] *Ethica Nicomachea*, Bk. II, 6, 1107 a.

forms of government govern with a view to the common interest—that is, to promoting virtue among the citizens by satisfying each one's social instinct and fitting him for the good life. The best political community is a mean between the rule of the rich and that of the poor. It must be formed by citizens with the middle classes at supremacy so that either of the extremes can be prevented from being dominant. "The rule of the law is preferable to that of any individual."[1] The fundamental law must be relatively permanent, and the functions of the legislature must be confined to the supplementation of the laws, whose alteration Aristotle regards as something exceptional. Maintenance of the spirit of obedience to law, is considered as the most preventive of revolution

The end of all law as well as government is the moral education of the citizens. Law must have compulsory power, but it must be at the same time a rule prescribed by a sort of practical wisdom and reason. "Public control is plainly affected by laws, and good control by good laws; whether written or unwritten would seem to make no difference, nor whether they are laws providing for the education of individuals or of groups"[2] Law is no mere agreement or convention as the sophist Lycophron says, but a moral force coextensive with all virtue.[3] It is the external expression of the moral ideal without the bias of human feeling It is reason unaffected by desire.[4] However, it requires to be modified and adapted to particular circumstances by the action of equity, which corrects law where it is defective owing to its universal and uniform character In short, *legality is the externality of morality, and is an emanation from sociality.*

B EFFECTS OF POLITICAL FORCES UPON LATER GRAECO-ROMAN THOUGHT

Nothing can bring about social and cultural contacts and conflicts more easily than political forces At least this was the case with the situation during the fall of the Greeks and the rise of the Romans. Foreign invasion

[1] *Politics*, Bk. III, 16, 1287 a 3. [3] *N E*, Bk. X, 1180 a 33 et seq.
[2] *Politics*, Bk. III, 4, 1280 b 5 [4] Ibid., 16, 1287 a 5

and national disintegration on the side of the former, and military expedition and both international and interracial unification on the side of the latter, did bring together peoples of different social and cultural backgrounds, and as an immediate consequence men of intellectual sagacity regarded it as their duty and interest to seek for new ways of readjustment and consider the problems therein involved. Towards the existing social order Epicurus (341–270 B.C.) took rather an indifferent attitude by the way of repudiation; Zeno's (340–265 B.C.) attitude was enthusiastic particularly in his attempt not only to combine synthetically all the well-known ruling channels of thought, but also to harmonize all peoples and nations alike under his gospel of cosmopolitanism; and many a Roman writer like Cicero (106–43 B.C.), however, imitated sages of alien lands and even adopted their ideas to glorify and justify the prowess and exploits of his compatriots. Such an age is essentially transitional rather than permanent. The lack of originality, no addition of new elements, and little legacy left to subsequent generations, are its distinguishing characteristics.

The full bloom of Greek thought was short-lived. Following the death of Aristotle, close contact with Eastern nations subjected the Greek mind to alien thought hatched from religious ideas. The decline of political independence and the impact of Oriental culture naturally directed attention to practical ways of life. The attention of Epicurus was thus drawn to the pleasure-seeking and self-centered aspects of human nature, and therefore an ethical system descriptive of the current hedonistic tendencies of mankind and pessimistic outlook of life ensued. With its bases in the atomistic materialism of Leucippus and Democritus and in the ethical principle of the Cyrenaics that pleasure is the end of life, Epicurus' philosophy grew in parallel out of his primary belief in sensation. Accordingly, he found the highest guiding principle of human conduct in the pursuit of pleasure, of bodily pleasure especially. This pleasure-seeking factor is neither adaptive nor normative but spontaneous. It *is* the end and *is* the ultimate motive of all action. The moral theory thus developed merely on the fact of experience, is concerned with what *is* and not with what *ought to be*.

As a matter of fact the whole view of Epicurus, as based

on pure egoism and hedonism, represents the pessimistic sentiment of the age grown weary of political uncertainty and social transiency, and surfeited with fruitless speculation and sophisticated intellectualism. His ideal of pleasure, while frequently misinterpreted in terms of luxury and sensual indulgence, he merely referred to the absence of pain in the body and of trouble in the soul. Social life for Epicurus is merely an outgrowth of self-interest. Even friendship in life which he emphasized so much all the way through, is based on the motive of personal advantage. Laws, morals, and institutions are good so long as they are useful to the self-interest of the individual They are therefore conventional, and are to be justified by their usefulness or conduciveness to the pursuit of pleasure. Society is created and moulded by individuals, and exists for them. Social life and public activity are simply matters of expediency, and yet are not indispensable to the pursuit of pleasure Such a system of thought naturally intimates the eventual renunciation of group life and enthusiasm for social welfare

The intimate contact of Greek thought with Oriental culture was most vividly seen in the Stoicism of Zeno, which evidenced the influence of Chaldaism, Persism, and even of Buddhism as E V. Arnold says.[1] The origin and development of the system, in reality, represents the becoming syncretism of contacts and conflicts, cultural and social, brought about by political forces that had been in operation Born and brought up in Citium, a city then quite full of Oriental atmosphere, Zeno later at Athens became an adherent of the Cynic school. The bitter opposition raging between Stoicism and Epicureanism could thus trace its origin to the conflict between the Cynics and the Cyrenaics. While Epicureanism is sensationalistic, descriptive, hedonistic, egoistic, inactivistic, and individualistic, Stoicism is rationalistic, normative, rigoristic, altruistic, activistic, and cosmopolitan The object of their philosophic efforts, however, was very much the same—to find a basis for a universal moral theory in the plain relationships between men.

Regarding the problems of conduct in both private and public life, Zeno appealed to the reflective activity of

[1] v *Roman Stoicism*, p. 17.

consciousness as revealed in the constantly and actively organizing process of the mind. Consequently he tended to identify reason with will. For this he accounted in terms of the imminence of the universal reason—the *Logos*—in human nature, which is the natural law, the unchanging destiny that predetermines from eternity all events throughout the universe. While man is liable to emotional distraction as embodied in such motives of evil conduct as pleasure, desire, grief, and fear, the suppression of them is possible only through the conformity of all action to the rules prescribed by the universal reason, which is the ultimate basis of right conduct, whether legal or moral. Freedom from passion is therefore the necessary and possible step to character-formation as dictated by the universal reason. In this way Epicurus attempted to harmonize universal determinism in metaphysics with individual freedom in ethics.

The universal reason being imminent in human nature, social life is due to a spiritual likeness of all races and peoples which gives rise to the idea of cosmopolitanism and universal brotherhood. Whether Greek or barbarian, all men are therefore equal by natural right. Since group gathering as well as self-preservation is due to the natural impulses of the human species, society must be based on the natural tendency to identify the individual self as a part with the whole. Moreover, since the universal reason is the supreme law for all humanity, state law and social morals must be a reflection of its demands; and therefore Zeno conceived of the state as world-wide regardless of racial differences and class distinctions. *Legality and morality are therefore equally expressions of the same universal rationality.*

Zeno's attempt to merge all races and nations into the same community ruled by the dictates of universal humanity by reducing all their cultural creeds, social orders, and patterns of group life, to the precepts of the same universal reason, was clearly a challenge and reaction to the social chaos and political turmoil of the age. The resultant doctrine was welcomed by the Romans, who aimed to conquer and unify the whole world peoples under the same universal régime. His conception of "natural right" and "natural law" in the long run passed over into Roman law and tradition as found in the thought of Cicero, Cato,

Varro, and Seneca. Therefore we shall turn to the side of the Romans.

While the social unity of the Greeks was essentially cultural, that of the Romans was predominantly political and military. The Aryan immigrants from the north had settled in the northern and central parts of the Italian peninsula by 1000 B.C. Those who settled in Rome established themselves as a peasant state with sturdy and rigid rules as their common social bonds, which later developed into laws sanctioned and enforced by their political institution with military force. The Greeks were artistic, speculative, and aristocratic, whereas the Romans were practical, constructive, and democratic enough to afford many of their slaves the chance of intellectual training and social distinction. The national and social unity of the latter was largely maintained by laws, and their territory was extended by arms.[1] By political sagacity, military genius, and legal efficiency was characterized the mentality of the Romans. It was during the period of their territorial as well as commercial expansion that they began to feel the influence of foreign cultures. Their art, literature, science, philosophy, and even higher forms of religion were either imported from foreign countries or developed under the auspices of political developments. Such being the case, emperor-worship was a peculiar creation of Roman politics; and the masterpieces of such great poets as Virgil, Horace, and Ovid, while to some extent following the example of the inspiring Greek attainments, were produced largely under the patronage of Augustus Cæsar.

Weaving the corners of the then known world together by roads and bridges, the Romans converted enemies into neighbours by means of arms and laws, and in consequence created ideals of world-wide brotherhood, under which nations were united by a common authority. The basis of Roman order and civilization was Law.[2] It was on

[1] From the year 753 B.C., the legendary date of the foundation of Rome, up to 508 B.C., when tyranny was displaced by the so-called "republican democracy", the unity of the Romans was largely maintained by military exploits of powerful tribal chieftains and kings. During the period of the Republic from 508 to 31 B.C., territorial expansion and national integration were successfully effected by their political organization and legal administration. Macedonia was annexed in 148 B.C., and Carthage completely destroyed two years later.

[2] Cf. Burns, *Political Ideals*, p. 37.

account of its certainty in principle, uniformity in character, universality in application, communicability to all nations, and enforceability to all peoples, that the Romans appealed to Law. The codification of the Twelve Tables was completed as early as 449 B.C., which tables referred to the adjustment of disputes between the social orders, and were the only code in the Roman Empire until the time of Justinian the Great (A.D. 527–65).

Characteristic of early Roman Law was the complete absence of ethical elements If among the Greeks moralism was more dominant than legalism, how much more supremacy must legalism have claimed over moralism among the Romans. With legalism at home and militarism on the frontiers, the Romans succeeded in maintaining order and unity for centuries If legalism was dependent upon compelling forces, order maintained by Law was likely to become tyranny Lacking creative originality in their cultural efforts, the Romans failed to assimilate the aliens within and the barbarians without While the frontiers were not well garrisoned, Rome could hardly withstand the sack by the Visigoths in A.D 410 and by the Vandals in A D. 455. When the overwhelming Teutonic tribes led by Odoacer invaded Rome in A D. 476 the Western Roman Empire was crushed into pieces like a rotten tree by a sudden gale.

One of the most remarkable effects of political forces upon Roman thought and institutions during the period of their territorial expansion and foreign conquest, was the introduction of Greek ethics into Roman jurisprudence, and the consequent appearance of moral elements in law. Where legalism proved helpless, moralism would now come to the rescue. For the Greeks law was a means to morals; for the Romans, vice versa. The conception of equity now began to play the rôle of the most important ethical factor in law, and it was merely one of the gifts the Romans had received from their Greek masters.

Another effect worth mentioning was the imitation of Greek thinkers by Roman writers and the sheer adoption of the former's ideas by the latter which Cicero furnished with a good illustration. The Romans, busy building their universal empire and subjugating the surrounding tribes, could hardly afford to think deeply and meditate

profoundly as the Greeks did. As an outstanding scholar and the best spokesman of the spirit of his age, Cicero simply presented his fellow-countrymen with Greek philosophy in a Roman dress. Following the example of Plato and Aristotle, he constructed a commonwealth in his *Republic*, for which he used material furnished by the Roman Republic. He interpreted the instinctive origin and natural growth of society in the light of the development of the Roman State, which, according to him, was due to certain objective factors of physical environment and certain subjective factors of genius, experience, and knowledge, not of an individual, but of many, in the course of ages and centuries. He revived with emphasis the Stoic doctrine of conformity to natural law—the *Logos*—from which political and social morality derives its force; and also elaborated the doctrine of the natural equality of men so that the Stoic doctrine of cosmopolitanism was once more dramatized. His theory of justice is based on the principle of conformity to natural reason, applied to the moral and the legal alike. Justice is innate, and not a product of human nature, according to him. Finally and with special stress he argued that both law and equity are not a mere establishment of convention but an institution of nature.

C. RELIGION AND THE HEBREWS

1. *Moses' Religious Legalism: Its Origin and Development*

The basal factor of the social unity of the ancient Hebrews was religion. To the world they contributed Biblical literature and monotheistic religion, and yet their literature was fundamentally a product of their religion. To them, every department of life had from time immemorial been connected with religion. They traced to the divine will of the Supreme Being, Yahweh, the origin and form of their own social institutions, such as the family, the state, and even religious organization. The same was true with their laws, which they considered as imposed from without by Yahweh for the welfare of His Chosen People. Looking to His voice for the sanction of all rules of conduct, they made no distinction between law and morals as a matter of practice. Legalism was supreme, and over it the doctrine

of retribution ruled. The psychological means to secure the fulfilment of such rules of conduct were found in the threat of punishment and the promise of reward continually made by Yahweh. It was by Moses, who was thereby accepted as champion of the Hebrew liberty with his professed divine mission, that their suffering at the hands of the Egyptians was proclaimed a punishment by Yahweh on account of their apostacy, and that a free land promised for their permanent settlement was announced as his reward for their repentance and obedience. Thus, with full authenticity Yahweh-worship was introduced and advocated by Moses, and with him the religion of Israel and religious legalism among the Hebrews took their start.

To the children of Israel wandering in the Arabian Desert, the religious motive was the only one strong enough to produce united action in their community. Delivered about 1200 B.C. from servitude undergone in Egypt, they could only confide under the guidance of Moses their hope to settle some day as the Chosen People in the Promised Land flowing with milk and honey, to the will of Yahweh, the God of their legendary forefathers, Abraham, Isaac, and Jacob. The immediate task of Moses was to unite under Yahweh-worship the twelve clans hitherto loosely bound by their kinship, and so to weld the strolling nomads into a single people under his leadership. Yahweh as the impulsive, angry, and jealous, tribal God, stood for their solidarity, and Yahweh-worship under the priesthood of Moses was therefore their divine social bond.

The Hebrews considered human nature as originally bad and liable to temptations. The original sin committed by Adam and Eve in the Garden of Eden was believed to be hereditary from generation to generation. The only way of salvation was observance of the dictates of the will of Yahweh. Amidst the circumstances of storm and stress encountered at the foot of Mount Sinai, Moses, in order to maintain order and unity among his followers, proclaimed the Ten Commandments of Yahweh and brought them into covenant with Him. This Sinai covenant furnished the connection between Yahweh and the Hebrews with a legally created basis—a bilateral contract of partnership in nature and the source of legal obligation in function, so that the breach of the terms by any party would cause the termination

of the agreement. At the same time it was a covenant between the clans themselves. Were the Biblical tradition true, Moses was then the author of Hebrew legalism while solidifying Israel's unity, both national and religious.[1]

After Joshua led them into the Promised Land of Canaan where they first founded theocracy and then monarchy, and finally divided the kingdom into two rival states upon the death of King Solomon, the Law was definitely accepted as the guiding rule of life. By the "Law" they understood the monism of their religion, looked upon as the expression of the will of Yahweh. Meanwhile, legalism became the outstanding feature of the social life of the Hebrews. Both their morals and religion were codified in order that life might be placed entirely under the control of Law; especially when in the reign of King Josiah *Deuteronomy* was brought to light, and codes and discourses ascribed thereby to Moses became popularized as rules of conduct. In the days of David and Solomon Yahweh-worship was centralized in Jerusalem so as to maintain the social and national unity of the Hebrews, and religious legalism was sought as the only means of social control.

Beginnings of Moralism—Prophets versus Priests

In the course of time, particularly since the eighth century B.C., moralism appeared to counteract legalism among the Hebrews. Yahweh, who had been conceived of as a non-moral god, only more fearful and powerful than other gods, became the only true god demanding moral righteousness and social justice of his adherents. The transition from henotheism to monotheism was due to the constant ethical efforts and protests of the prophets. The difference between prophets and priests was a kind of conflict between morality and legality—that kind in regard to human relationships. Early religious leaders like Moses, Joshua, and Samuel, were both priests and prophets. Later on there came a differentiation between priest and prophet. The priest became simply a minister of the sanctuary, charged with the proper, outward performance of the ritual and formal practices; whereas the prophet became a wandering preacher, the fearless critic of the existing social order,

[1] Cf. Smith, *The Religion of Israel*, p. 60.

and therefore often in incompatible opposition to the priesthood. While the priest urged the people to praise Yahweh by their lavish sacrifices, the prophet asserted that Yahweh requires nothing except right conduct from everybody. The early prophets Elijah and Elisha arose from that part of Israel to the east of Jordan, where the purer, more orthodox tradition with its stress on ethics and comparative indifference to ritual, was maintained than in the settled community to the west of Jordan. Looking back to the austerity of the desert and the simplicity of the wilderness, they raised a bitter cry against the new social vices as consequent on a richer community From the semi-pastoral south Amos arose and saw with great clearness what was morally and religiously wrong with the social order of central and northern Palestine His supreme demand was for fair dealings between man and man—for justice, equality, and honesty, the qualities which Yahweh demands of Israel. In contrast with Amos, Hosea, a native of the north and a patriot of his native land, condemned current ritualism and political corruption. While Amos looked to the outer manners of conduct and Hosea looked for the inner springs of action, both of them brought social wrongs more and more to the fore and declared that Yahweh could make use of the surrounding nations as instruments of his wrath. Micah and Isaiah exalted God's law of justice; and the latter, while living and working in Jerusalem, particularly insisted on the holiness of Yahweh and prophesied the fall of Judah and the coming of an ideal king

The prophets as spokesmen of Yahweh, while frequently reproaching the priests' irrational legalism, the kings' abuses of power, and the people's vices, usually threatened them with punishment or induced them with reward, and therefore were not genuinely moralistic in attitude. The doctrine of retribution was still reigning. Through reflection, prayer, and visions, they felt themselves guided by the voice of God, which they used as a protest rather than as a means of grace. If Amos' declaration, "Surely the Lord God will do nothing, but he revealeth his secret unto his servants the prophets. The lion hath roared, who will not fear? the Lord God hath spoken, who can but prophesy?"[1]

[1] Amos iii. 7–8.

was equally applicable to the cases of other prophets, their prophetic motive, being the sense of fear and not that of duty, can hardly be taken as moral

The prophecy of the approaching catastrophe was fulfilled first when Samaria fell in 721 B.C. before the Assyrian invaders, and finally when Jerusalem was captured by the Babylonians in 586 B.C. The bitter experience of the Exile during the Babylonian Captivity, convinced the Jews of the pre-exilic prophets' teachings. Thereafter they worshipped Yahweh with exclusive devotion and obeyed Him all the more. Despite the destruction of the Temple of Jerusalem and the loss of the sacrificial system, the covenant that represented a special relation between Yahweh and Abraham's seed, remained the indestructible ground of unity among the people Meanwhile, the prophet Jeremiah appeared to advocate constant devotion to Yahweh and personal communion with him. Arguing that to be valid a covenant must be written on men's hearts rather than on black and white, he proclaimed a new covenant which, according to him, God would write in men's hearts and thereby put his law in their inward parts.[1] As a consequence, their religion became "internalized" and "spiritualized" with the elaboration of the Law, the great increase of priestly activity under the inspiring leadership of the priest-prophet Ezekiel, and the rise of regular services of prayer and instruction in the Scriptures Turning from outward rite to inward meditation and recalling the golden days of David and Solomon the more vividly in contrast with their ongoing distress, in order to console themselves as the Chosen People, they put their world-mission in a dim Messianic future with the cherished hope of a coming leader who would realize the long-postponed promises of Yahweh by recovering the kingdom of David and establishing a permanent rule over the Gentiles throughout the world.

With the reorganization after the Return from the Babylonian Exile in 444 B.C., the religion of Israel developed into Judaism based on a syncretism of the whole religious experiences of Israel as interpreted in the light of their latest, highest, most approved standards[2] Its thought and practice became centered in the Law, the Temple,

[1] Jeremiah xxxi. 31–4.
[2] Abrahams, *Judaism*, p 8.

and the Messianic Hope. A new temple was immediately rebuilt upon the old ruins and the Written Law was completed by 400 B.C. From the explanations of the Written Law by the Scribes grew the Oral Law. The observance of legal precepts now came to be looked upon as meritorious and as the means of salvation, and thus constituted a claim for reward. Meanwhile, after the Restoration there appeared on account of the influence of Hellenism two distinct parties among the later Jews: the Sadducees, an aristocratic-political party, and the Pharisees (including the Scribes), a democratic-legalistic party. The former were conservative and represented the older Judaism and denied both resurrection and personal immortality; whereas the latter represented most normal results of Jewish religious development since the Exile, but emphasized the external or formal observance of rites and denied the forgiveness of sinners and repentance of wrong actions.

3 *Christian Moralism versus Jewish Legalism*

From Revolt to Reform.—Amid the political upheavals suffered under the yoke of both native and Roman rulers on the one hand and the religious dogmas monopolized in the hands of the Scribes and Pharisees on the other, Jesus (4 B.C.–A.D. 29) of Nazareth was born to claim his legitimate Messiahship as Christ proclaiming the gospel of universal love as a doctrine of revolt and a theory of reform. Born of a humble family and brought up among popular multitudes, he naturally cherished an enthusiastic sympathy for the poor, the sick, and the innocent, to whom the then intelligentsia headed by the Pharisees and Sadducees were rather indifferent. Subsequent to his baptism by John the Baptist, he went into the wilderness for fasting and prayer, whereby he acquired a profound spiritual experience. He returned with the firm sense of a mission—the mission of preaching a new way of universal salvation for all humanity. By causing an overwhelming revolution against the existing religion of his fellow-countrymen, he willingly met the miserable fate of a pioneer martyr—the sentence to crucifixion. The whole conflict of his new religious creed—later known as Christianity—with Judaism designates vividly *a revolt of morality against legality*:

cosmopolitanism against provincialism, inward purity against outward observance, heartfelt expressions against formal practices, or in short universal moralism against local legalism [1]

Jesus did not write any systematic treatise on his views and principles of the basis of human conduct. Yet in view of his luminous, inspiring, and commanding character, his fragmentary teachings, as recorded in the four gospels of the New Testament, do constitute a definite system of teachings His life was his system. As over against the conception of human nature as primarily bad which the Hebrews had cherished from time immemorial, Jesus conceived of human nature as primarily weak and therefore susceptible to outside influence whether holy or evil. But he had a strong conviction in the possibility of improving it. Everybody has a share in the original sin; and Christ came to save man from it. He who wants to improve his nature must affiliate himself with the outside influence that is good, holy, and divine. Therefore, he must "be born anew"—born of the Spirit: he must renounce all earthly vanity and material avarice; and above all he must purify his heart. This is the preliminary step to salvation. If the fountain is purified, the stream will be pure; if the heart is purified, the conduct will be good. If the Rich Man could have renounced his worldly wealth and purified his heart as Lazarus had done, he would have been saved

Naturally Jesus condemned without any reserve the externalism, formalism, and ritualism of the Scribes and the Pharisees [2]:

> But all their works they do for to be seen of men . for they make broad their phylacteries, and enlarge the borders of their garments, and love the chief place at feasts, and the chief seats in the synagogues, and the salutations in the market-places, and to be called of men, Rabbi. . . .

[1] Among the factors that made the appearance of the new world-religion, F Thilly mentions "The existence of a universal empire; the growing spirit of cosmopolitanism and brotherhood, which Stoicism had done so much to inculcate, the conception of a spiritual deity taught by the philosophers, the doctrines of immortality contained in the popular Greek mysteries and Oriental religions, and the Jewish ideal of a personal God, which succeeded in awakening the religious spirit where the abstract notions of the metaphysicians had failed. Christianity, was in a measure, a child of its age, a child of Judaism and Hellenic-Roman civilization." (*History of Philosophy*, p 134)

[2] Matthew xxiii, 5–7; ibid, 27–8.

> Woe unto you, scribes and Pharisees, hypocrites! for ye are like unto whited sepulchres, which outwardly appear beautiful, but inwardly are full of dead men's bones, and of all uncleanness. Even so ye also outwardly appear righteous unto men, but inwardly ye are full of hypocrisy and iniquity. . . .

In reply to the Pharisees' contemplated question, he declared openly that it is lawful even on the sabbath day either to eat the ears of corn along the cornfields or to heal any ill person because there is no reason why it is unlawful on the sabbath day to do good and to save a life. "The sabbath was made for man, and not man for the sabbath."[1]

Moralism on Earth.—As the main step to salvation, Jesus preached the gospel of universal love, and advocated absolute moralism throughout the world. To love humility is essential, however. Thus throughout the whole argument of the Sermon on the Mount the middle term is Love.[2] The guiding principle of human conduct is Love—love of God and love of man, and its cardinal expressions are the fatherhood of God and the brotherhood of men.[3] It even goes to such an extent that when once people told him that his mother and brothers were waiting to see him, he said to them: "My mother and brethren are these which hear the word of God."[4]

In the eyes of Jesus life is a pilgrimage towards the eternal fatherland, and its supreme business is to contribute to the glory of God and the welfare of men. Love and not fear is the motive of the worship of God, which makes a *challenge of morality to legality*. Again God is universal and not national as conceived of by the Jews. He is to be worshipped neither in the Temple of Jerusalem nor at the top of the Samaritan mountain, but by everybody in spirit and truth.[5] Love can grow in our hearts only with deep,

[1] Mark ii, 27.

[2] Matthew v, 3–12. "Blessed are the poor in spirit: for theirs is the kingdom of heaven. Blessed are they that mourn: for they shall be comforted. Blessed are the meek: for they shall inherit the earth. Blessed are they that hunger and thirst after righteousness: for they shall be filled. Blessed are the merciful: for they shall obtain mercy. Blessed are the pure in heart: for they shall see God. Blessed are the peace-makers: for they shall be called sons of God. Blessed are they that have been persecuted for righteousness' sake, for theirs is the kingdom of heaven. Blessed are ye when men shall reproach you, and persecute you, and say all manner of evil against you falsely for my sake. Rejoice, and be exceeding glad: for great is your reward in heaven."

[3] Ibid., xxii, 37–40. [4] Luke viii, 21. [5] John iv, 20–4.

unseen communion with the spirit of Love, which is God. As an evident symbol and expression of the attempt to be in communion with God, the Lord's Prayer—addressed to the Heavenly Father with special references to the holiness of His name, the advent of His kingdom, the realization of His will on earth as in heaven, the avoidance of temptation, and the salvation from evil—clearly points the way leading to right conduct in daily life.[1] "Except your righteousness shall exceed the righteousness of the scribes and Pharisees," teaches Jesus, "ye shall in no wise enter into the kingdom of heaven."[2] We must turn from outward law to inner and spontaneous springs of goodness on its own account, which are neither wisdom nor pleasure but Faith, Hope, and Love, Love being the ultimate one. The conception of love of man—of all humanity—is best illustrated in the Parable of the Good Samaritan whose morals underly the basis of the Christian ethics of self-sacrifice and social service.[3]

From the doctrine of absolute moralism on earth Jesus proceeds to the principle of non-resistance in the cases of social conflict, which is clearly reflected in the following passage[4]:

> Love your enemies, do good to them that hate you, bless them that curse you, pray for them that despitefully use you. To him that smiteth thee on the one cheek offer also the other; and from him that taketh away thy cloke withhold not thy coat also. Give to every one that asketh thee, and of him that taketh away thy goods ask them not again. And as ye would that men should do to you, do ye also to them likewise.

Herein lies the Golden Rule. Accordingly, he refused to be involved in current political controversy on the one hand, and on the other looked to the kingdom of God on earth. "Render therefore unto Cæsar," teaches Jesus, "the things that are Cæsar's, and unto God the things that are God's."[5] Having been accused of the arrogation of the title of "the King of the Jews", he disclaimed before Pilate, "My kingdom is not of this world."[6] Were his kingdom of this world, his followers would have fought and he would not have been delivered to the Jews. His kingdom is that of God, an ideal community exclusively

[1] v. Matthew vi, 9–13. [2] Ibid., v, 20. [3] v. Luke x, 30–7.
[4] v. Luke vi, 27–31. [5] Matthew xxii, 21. [6] John xviii, 36.

based on moral relations. Hence, no government, no judgment, and no punishment. "Be ye merciful," teaches Jesus, "even as your Father is merciful. And judge not and ye shall not be judged: and condemn not, and ye shall not be condemned: release, and ye shall be released: give, and it shall be given unto you."[1] Such a view eventually leads to his tolerant theory of penalty among human relations as evidenced in his saying: "He that is without sin let him throw the first stone,"[2] to the woman repudiated. The coming of the ideal social order he proclaimed as the hope of humanity, the embodiment and fulfilment of the Golden Rule—the brotherhood of mankind under the fatherhood of God.

Legalism in Heaven.—The effort of Jesus to put in place of fear love as the determining principle of the relation between God and man, between man and man, was, no doubt, a great challenge to Jewish legalism and also a great revolt of morality against legality in the religious and social life of mankind. To the Pharisees he was a rebel attempting to dispense with legalism on earth; to the prophets, however, he was their greatest reformer striving to interpret the Law in the right way. As he said to the crowds at the opening of his ministry: "Think not that I came to destroy the law or the prophets; I came not to destroy, but to fulfil. For verily I say unto you, till heaven and earth shall pass away, one jot or one tittle shall in no wise pass away from the law, till all things be accomplished."[3] The Law continues and must continue supreme.

Retribution which had been confined by the priests and the prophets to the present world, Jesus pushed into heaven—or into a future life—by advocating a postulated belief in the immortality of the soul and the resurrection of the body. The retributive theory of reward and punishment is best illustrated in the Parable of Lazarus and the Rich Man.[4] In view of this idea the conduct of the Good Samaritan in saving the life of the poor victim on the wayside between Jerusalmen and Jerico, was certainly moral on earth, but might be legal in heaven if he expected any reward at all in the other world. Throughout the Lord's Prayer hopes of rewards, and throughout the Sermon on the Mount

[1] Luke vi, 36–7.
[2] John viii, 7.
[3] Matthew v, 17–18.
[4] Luke xvi, 19–31.

promises in heaven, are repeated over and over again; and, what is still more, the Sermon on the Mount closes with the clause: "for great is your reward in heaven." Jesus even deemed it legitimate to claim rewards from God in heaven for the good deeds done on earth. When Peter said to him, "Lo, we have left all and followed thee; what then shall we have?"[1] he described the substantiality of rewards with the Parable of the Hired Labourers in the Vineyard.[2] He even made the prediction as well as expectation of the advent of the Final Judgment by the Son of man in the regeneration, whereby the retributive theory of penalty and reward would be strictly carried out. Such an interpretation of the ultimate sanctions of the moral code in the light of the infinite reward and punishment awaiting the immortal soul in the other world, is nothing but a transformation of Hebrew legalism.[3] Thus, even a brave rebel and a genuine reformer as he was, Jesus did not dispense with the kernel of the social structure of his community, and that was legalism which he even attempted to justify by ideally transforming it. The legalistic community of the Hebrews did produce legalistic types of mind.

As a thinker, few can be compared to Jesus in regard to the influence of his teachings swaying over the thought and conduct of posterity. His heroic martyrdom on the cross turning into the sole stimulant of his adherents immediately upon his death, the more severely the political rulers and orthodox Jews persecuted them as heretics, the more widely were they scattered as evangelists of the new gospel. Up to the year A.D. 325 when the Roman Emperor

[1] Matthew xix. 27. [2] Ibid., xx. 1–16.

[3] Hitting such legalistic trends involved in the Christian religion, John Stuart Mill, in his essay on the "Utility of Religion", attempts to defend the Religion of Humanity through a criticism from the ethical standpoint of the supernatural religions with Christianity as their best example. "Even the Christ of the Gospels," argues Mill, "holds out the direct promise of reward from heaven as a primary inducement to the noble and beautiful beneficence towards our fellow-creatures which he so impressively inculcates. This is a radical infirmity of the best super-natural religions, compared with the Religion of Humanity, since the greatest thing which moral influences can do for amelioration of human nature, is to cultivate the unselfish feelings in the only mode in which any active principle in human nature can be effectually cultivated, namely by habitual exercise: but the habit of expecting to be rewarded in another life for our conduct on this, makes even virtue itself no longer an exercise of the unselfish feelings." (*Three Essays on Religion*, p. 113.)

Constantine the Great sanctioned it as the official religion of the Empire, Christianity had to struggle for existence through the daring efforts of many propagandists and organisers. The first and best organizer as well as propagandist of the teachings of Jesus was St. Paul or Saul of Tarsus (A.D. 1–67). An assistant in the stoning of Stephen, as he was, on his journey to Damascus made on purpose to persecute the followers of Jesus scattered there, he was converted to the Christian religion by a sudden vision of the risen Jesus Henceforth he spent the rest of his life preaching the new gospel he had won by his mystic experience until he died a martyr in Rome Possessed of the rare sagacity of the Roman statesman, Paul initiated the ecclesiastical institution of Christianity, and made the religion universal not only in theory but in practice also. In view of the thorough rabbinical training and the Stoic influence he had received early in his life, he elaborated Jesus' teachings on a rational and systematic basis, and more than Jesus was he hostile in attitude to the Jewish Law by setting up the notion of inner conscience against outer legal authority.[1]

D THE TRADITIONAL CONTROVERSY BETWEEN MEDIAEVAL CHURCH AND STATE

Reappearance of Religious Legalism.—When Christianity —the gospel initiated by Jesus and systematically organized by St Paul—became legalized in its process of propaganda, it completed its triumph over paganism in Greece and Rome The social agency the early Christians could offer to the pagans was just what the latter wanted for maintaining social unity, and that was God as revealed in Christ and made available through the medium of an independent institution, namely, the Church With this ecclesiastical organization as its authoritative centre of enforcement, they attempted to put lofty ideals and standards of conduct into operation among the masses of people. Outer authority once more appeared to supplant inner conscience. The

[1] 1 Timothy i, 5: "The end sought is love which springs from a pure heart, a clear conscience, and a sincere faith" Romans iii, 28 "It is as the result of faith that a man is held to be righteous, apart from actions done in obedience to Law."

religion was now so formally institutionalized that it subsequently became easier to follow rules than to reflect upon principles and apply them. Idea being likely to turn into habit, reflective morality eventually shaded off into customary legality. All at once the religious legalism of the Christians began to rival the political legalism of the adherents to the past Roman tradition. Thenceforth for more than ten centuries the same attempt to solve the conflict between Church and State, and to adjust the individual's conduct to church dogmas and state laws, was repeated by numerous Christian thinkers

Religion versus Politics—St. Augustine.—St Augustine (354–430) depreciated the position of the State even as subordinate to the Church. He looked upon the existence of the Roman Empire in uniting all the nations under a common rule as a means to the spread of Christianity. Witnessing the sack of the city of Rome by Alaric and his Visigoths in A D 410 and foreseeing the impending doom of the Roman Empire, he declared that earthly rulers should thereafter give way to the Church—the city of God—which would displace the authority of the State His whole thought, working out the philosophical basis for the Latin Church of the Middle Ages, can be regarded as a rational exposition of the Lord's Prayer

His doctrine of predestination that human fate lies in God's hands, reflects the gloomy atmosphere of the age, with its pessimistic belief in the depravity of human nature, as well as traces of a profoundly religious spirit. Man being a temporal union of soul and body, earthly life is but a pilgrimage to God. The supreme business of life is union with God by love, which is possible only in a future life. Everybody with a share in the original, hereditary sin can be saved only by the mercy and grace of God Love is the supreme virtue, and love of God which is the work of divine grace acting within, is the basis of altruism in social life Obedience to the Church is the guiding mark of a pious life, and salvation can be gained only through the sacraments of the Church The contemplation of God is alone wisdom and is alone happiness. Distinguishing between two kinds of knowledge—natural or scientific and divine or revealed—St. Augustine maintained that only the knowledge of God and self is worth having. Scientific

knowledge has value only in so far as it tells of God. Divine knowledge alone has eternal and immutable truth. The will of God is therefore the ultimate factor determining human knowledge and conduct in private life.

The same is true in social life. The earthly state originates from the social instinct of man. Yet it is the result of his sinful nature, as based on self-interest and even the disregard of God. The Christian Church, however, is the kingdom of heaven on earth as established on the love of God and renunciation of the self. The goal of the Church is absolute, that of the State is relative. The Church secures eternal salvation. The State is justified as a necessary means for temporal protection in service of the Church; and so far as it is so, the laws of the State must be obeyed, too. The Church therefore has unconditional sovereignty over the State The social ideal of St Augustine, as depicted in his *City of God*, would be to make society on earth an exact copy of the divine city where all is peace and unity The State must keep its highest ideal in accord with the divine will so as to realize the highest good—to see God's will be done on earth as in heaven.

Rivalry between Church and State.—The basal factor of the social unity of mediaeval Christians was their uniform tradition.

With the fall of the Western Roman Empire in A D 476, Europe entered into the Dark Ages, losing all the varieties of the intellectual and the material heritage of antiquity. However, out of the chaos of barbarism and warfare there were gradually developed uniform practices and institutions under the guidance of the Roman Church with universal ideals and common aspirations[1] Mediaeval theocracy was a composite of Greek intellect, Roman institution, and the Christian religion. With the conversion of

[1] v De Wulf, *Philosophy and Civilization in the Middle Ages*, p. 181: "For, there was one system of education for princes, lords, and clerks, one sacred and learned language, the Latin; one code of morals, one ritual, one hierarchy, the Church, one faith and one common western interest against heathendom and against Islam, one community of the saints, and also one system of feudal habits for the whole West Customs, characteristic of the courtesy and chivalry which were born in France in the preceding century, had spread to all countries, and had created among the nobility of the various nations a sort of kindred spirit The network of feudalism embraced all social classes, and everywhere the system had common features. . ."

Constantine the Great the Roman bishop began to advise the emperor in ecclesiastical affairs. After the fall of Rome the Church alone stood as champion of the unity of the newly converted barbarians, through religious propaganda and through cultural education, and the popes acted as the true agents of internationalism within the Christendom, although they failed to withstand in the east and south the force of the Mohammedan movement that burst forth from Arabia in the seventh century. After gaining supreme power opportunely, it began to interpret sundry civil offences as offences against God. The order of chivalry and all the knightly virtues developed in the Middle Ages embodied a blend between the barbarian warrior and the Christian saint, through which the former was tamed and led to feel sacred obligations. The simultaneous development of the newly established Holy Roman Empire under the rule of Charlemagne the Great who was coronated by Pope Leo III in A.D. 800, and the Papacy in which the authority of ecclesiastical institutions resided, eventually increased the antagonism between the Two Powers—the Church and the State—throughout the Middle Ages.[1] The struggle between the Emperor and the Pope for ascendancy over the Holy Roman Empire—as best illustrated in the dramatic fight between Emperor Henry IV and Pope Gregory VII in 1076—occupied a large part in the early mediaeval history

State as Subordinate to Church—Thomas Aquinas.—While the masses of the people were bound up by traditions and local kings and feudal lords were waging constant warfare, various intellectual trends culminated in the rise of Scholasticism among pro-papal thinkers of the period. Beginning with Anselm (1033–1109), the true type of the schoolman, Scholasticism attained to its zenith of prosperity in the thirteenth century through the effort of Thomas Aquinas (1224–74). Upholding the position of the Church, the schoolmen considered the State as existing for the good of the Church and the citizens, and not vice versa. The revival of the study of Roman Law in the twelfth century

[1] Charlemagne's empire fell to pieces within a few decades after his death. The history of the Holy Roman Empire, however, definitely began with the coronation in A.D. 962 of Otto I, the German king, by Pope John XII.

brought to their intellectual platform the notion of "natural law" which they took as coincident with the moral code in general so far as cognizable by reason and regulative of outward conduct.

Persisting problems and time-crowned concepts produced traditionalistic types of mind, the best representative of which is revealed in the philosophic thought of Thomas Aquinas who synthetically summed up the past—the teachings of Aristotle, Zeno, Cicero, St Augustine, and the Roman jurists, and also the early Christian theologians. The motive back of his intellectual effort was a religious one: he aimed to demonstrate the rationality of the universe as a revelation of God

As to the motives of human conduct, St Thomas started from his conception of human nature as intrinsically social and willing to be good, though weak and liable to temptation. All action is directed towards some end—whether wealth, honour, material pleasure, or social prestige By different aims conduct is motivated The *summum bonum* is and ought to be the knowledge and love of God We can love God only when we know Him Through the knowledge of God, human reason functions as conscience or the faculty of moral principles Therefore, intellect is primary; will, secondary. The end of human life is intellectual, and contemplative life, based on the love of God, is the most blessed, and is superior to practical life which is based on the love of man. The safest and quickest way to blessedness is the total abandonment of earthly vanity and avarice for the sake of eternal life. The ideal life is the monastic and ascetic life, which was very characteristic of mediaeval clergymen

If the devil is the principle of evil, God must be the principle of good pointing men to good by fostering knowledge through law, and by strengthening their will by His mercy This leads us to consider St. Thomas' famous doctrine of law, wherein he distinguishes four kinds of law: eternal law, natural law, human law, and divine law. Eternal law is the guiding and controlling plan of the universe. Natural law is the participation of mankind in eternal law, by virtue of which good and evil are distinguished. Human law is that aspect of natural law properly particularized and adapted by human reason to

human needs and social circumstances. Natural law is therefore concerned with morals, human law with "positive law". All positive law is merely an emanation from natural or moral law, and must carry in detail the precepts thereof; it is justifiable only so far as it is so. Positive law is in another word the partial sanction of moral law by means of human authority and penal administration.[1] *Legality must conform to morality because it is an emanation therefrom.*

It is the divine law that sanctions the structure and function as well as the origin and development of society. Society originates in natural law, and grows out of man's social instinct. To improve and regulate a natural social order, political organization is necessary, which rests upon the basis of human law. The power to establish laws is the essential attribute of sovereignty. Just obedience to such State laws is the primary duty of the subject. Emphasizing the importance of the individual in the State, St. Thomas advocated a composite form of government in which the sovereignty belongs to the people having the right of popular delegation and election, and which is at the same time combined with an elective monarchy and an oligarchy to curtail the exercise of power by the monarch.[2] This whole arrangement is sanctioned by the divine law, which, as specially revealed to man in the Holy Scriptures,[3] so as to supplement his limitations, is the supreme criterion of human conduct in both private and public life. While tending to maintain a sort of social contract theory, St. Thomas argued with irresistible logic for the absolute and ultimate supremacy of Church over State. The formation of the latter he appreciated as useful and necessary only in service to the former, through which alone people can be saved. Obedience to the Church as taught by St. Thomas is a submission not so much to God as to his representatives on earth.

State as Co-ordinate with Church—Dante.—While Thomas Aquinas argued for the subordination of the State to the Church, the temporal power to the spiritual, Dante Alighieri

[1] Cf. Stahl, *Geschichte der Rechtsphilosophie*, p. 89.

[2] De Wulf, *Philosophy and Civilization in the Middle Ages*, pp. 184 ff.

[3] Both the eternal and the divine law involve much theological significance. The former is the supreme reason of God, the latter is the will of God as revealed in the Old and New Testaments.

(1265–1321) contended for correlative power, maintaining the co-ordination of the temporal with the spiritual. His social thought vividly reflects the degeneration of his age, the chaos of current politics, as well as his own intellectual background and personal disposition. Present chaos reminded him of the past golden days in the Augustan Age, of the glorious prosperity of the world-wide Roman Empire which he still dreamt to re-establish in the future. Though his contribution to the anti-papal doctrine from the standpoint of the imperial interest deserves our special notice, he was so conservative as to brood over the past too much. In his *De Monarchia* Dante argues for (1) the world empire as a necessity, (2) the Roman rule as by right, (3) the authority of the temporal power as directly derived from God.

Thus, to the demand of his age full of wars and chaos, he made the response that peace could be best guaranteed by the unity of a universal monarchy. In the first place, while maintaining that the nature of action is relative to the end of it, Dante considers the nature of government as determinable by the end of the political society. Since humanity is a whole, unity of rule is a necessity. Men living within the same community can enjoy both freedom and justice best only under peace and good laws, and this is best secured by one imperial rule. In the next place he contends that right being the will of God, the Romans ruled by right because they could attain to the honour of bringing the world under one imperial sovereignty which is God's will. Finally, in view of historic precedents the Church and the Empire, while both derive their authority directly and independently from God since the soul and the body have two independent ends requiring different means for their accomplishment, are in parallel essential to human welfare.

CHAPTER III

INNER FREEDOM VERSUS OUTER AUTHORITY

EMPHASES BY PRE-KANTIANS AND KANT AS TO THE BASIS OF CONDUCT

This chapter attempts to trace how different individuals react upon the same normative factor—the ecclesiastical institution—in different ways as illustrated in the *Emphases by Pre-Kantians and Kant as to the Basis of Conduct*. The main problems herein dealt with are as to how the community first impresses the individual, who meanwhile begins to express himself out of inner self-determination in reaction upon it, then how by his available means the individual attempts to transform his community, and finally what are the emphases made by different individuals who proposed competing remedial measures for the existing social institutions repudiated. Certain pioneers during the early modern period laid down new ideas rather in fragmentary condition, which were gradually systematized by such great thinkers as Hobbes, Spinoza, Locke, Montesquieu, Rousseau, and Kant. It will be noticed that considerable attention is devoted to Kant, since he, synthesizing all preceding trends of thought and developing his practical teachings on the basis of his metaphysical principles, has exercised tremendous influence upon the subsequent intellectual channels, though not in the same directions

A. PIONEERS

Modern Revolt against Mediævalism.—What differentiates modern Western thinkers as a whole from mediævalists is their unanimous denial of the ecclesiastical institution as the ultimate normative authority prescribing rules of conduct. Against outer authority inner freedom revolted. In place of the Church, modern thinkers, one and all, attempted to put their respectivt emphases By the time when Dante challenged the supremacy of the Church over the State, the vitality of Scholasticism was at its ebb, which was largely on account of the continual fruitless controversy between conceptualists and nominalists. The prestige of the Papacy was greatly shaken by its internal

strife lasting throughout the fourteenth century as evidenced by the "Babylonian Captivity" and the Great Schism.[1] As a result ample justification was afforded for the protests of Wyclif (1327–84) in England and Huss (1369–1415) in Bohemia, who started reform movements both national and anti-papal in spirit and more or less democratic in manifestation. The break-up of feudalism by the rise of the bourgeoisie settled in prosperous business towns as well as of strong military rulers, caused the growth of national states, which became more and more impatient to question the supremacy of the Church. The tutelage of the Roman Church had continued for 1,000 years until it became incompetent and unnecessary to the Germans who were no longer "barbarian" in the fifteenth century.

Meanwhile, a new cultural movement known as "Renaissance" found its cradle in Italy and flourished particularly under the sway of Greek scholars who, after the fall of the Byzantine Empire in 1453, took refuge there and brought with them ancient learning and Arabic science. The whole movement consisted in the revival of the study of Greek and Roman classics, and its spokesmen distinguished themselves as "humanists" by their opposition to the schoolmen. Ancient learning now revealed to men the power of human wisdom outside the pale of the Church, and aroused brilliant intellectual awakening among many liberal-minded thinkers in all spheres of mental activity. It was no accident that their desperate efforts finally precipitated a general revolt against mediaevalism.

The social unity of modern Westerners has been rather psychical—unity in mental attitude towards things and ideas.

If the Renaissance was a revival of the study of ancient classics, the scientific movement at the opening of the modern era was a return to a distinguished conception of nature, and a firm conviction in the power of reason as over against the authority of tradition, as well as in the validity

[1] The "Babylonian Captivity" for seventy-two years at Avignon, France, began with Pope Clement V in 1305, during the reign of Philip the Fair of France, who had quarrelled with Boniface VIII over the taxation of Church property. This was followed by the Great Schism with the two reigning Popes, one at Avignon and another at Rome. In 1409 there was elected by a council convened at Pisa Pope Alexander V who was rejected by both reigning Popes. Each of these three claimed his rightful leadership of the Church until in 1417 the Schism was ended by the election of Martin V.

of free experiment as over against Aristotelian logic. Of the revolt of free inquiry against dogmatic prescription modern thought was born through the efforts of many a pioneer who ventured to freely search for new standards in science and theology alike. Wyclif had a narrow escape, whereas Huss was burned alive in 1415 owing to his lectures delivered at the University of Prague. Copernicus (1473–1543) proclaimed the heliocentric system of astronomy only from his death-bed. Bruno's (1548–1600) pantheistic world's view cost him his life in Rome at the hands of the Inquisition. It was due to the conflict between his method and Aristotelian logic, which had been used by the schoolmen as their supreme methodical weapon, that Galileo (1564–1642) was forced at the peril of his life by the then ecclesiastical authority to recant the Copernical theory in 1633. The complete success in revolting against mediaeval intellect, however, was first instanced in methodology by Francis Bacon (1561–1626) with his invention of inductive empiricism, and in metaphysics by René Descartes (1596–1650) who founded his philosophical system around the dictum "Cogito, ergo sum."

Political versus Religious Despotism—Machiavelli.—In practical philosophy Nicolo Machiavelli (1469–1527) was the most conspicuous and conscious representative of the opposition to mediaevalism at the opening of the modern era. Like Dante he cherished ardent patriotism for Italy, but unlike the conservative fanciful idealist he was radically realistic enough to introduce into politics and ethics the naturalistic and empirical method of investigation. Moreover, as a pioneer modern thinker in solving current social and political problems he was brave enough to ignore theology and disregard religious authority entirely.

His thought was a product of his age, and his intellectual training and equipment correspond to the characteristics of his environment. The City Republic of Florence was in his days filled with a confused chaos of events. Throughout his life he was an eyewitness of all social corruptions, conspiracies, political intrigues, and assassinations, which finally reduced Florence to the position of a grand duchy of Tuscany.

Yearning after a politically united Italy, Machiavelli perceived that amidst such turmoils only the revolutionary

dictator could solve the difficulties therein involved, and therefore he wrote *The Prince*—which Paul Janet fascinatingly calls "le manuel de la tyrannie" [1]—wherein he elaborated the traditional Roman doctrine of arms and laws as the means of social control with his addition of tricks and intrigues to them. Starting from the egoistic conception of human nature, his system culminates in his theory of absolute political legalism. Deriving his theory of government from objective facts, Machiavelli maintained that political life aims at the material prosperity of the people, and not at the moral and intellectual uplifting of a community, and that the conduct of a prince is justified on the basis of the necessities of the State. The foundations of national safety are good laws and good arms, and their goodness rests upon their usefulness and efficiency added to the well-being of the State. Neither divine nor natural law did Machiavelli regard, and in law and politics he recognized no ethical motives at all. With no clear notion of "morality" elaborated, he has been charged with propaganda of immoralism. In fact, as W. A. Dunning maintains, Machiavelli is "not immoral but unmoral in politics", and "not irreligious, but unreligious" [2] Both religion and morals he admitted as useful only in service to law. In one word, *legality justifies morality* as well as divinity. The fault of Machiavelli's neglect of moralism and his over-emphasis on the commonwealth as the supreme authority prescribing rules for human conduct must be attributed to his times.

Moralism versus Legalism in Religion—Luther.—While Machiavelli put the commonwealth in place of the Church and disregarded moral and religious motives in politics, Martin Luther (1483-1545) and his followers put individual conscience in its stead and based their political thought upon their moral and religious principles. The revolt of inner freedom against outer authority came more and more to the fore. The Teutonic spirit of individual freedom at least caused a wholesale revolution against the yoke of Rome when the sale of indulgences sanctioned by Pope Leo X for the alleged purpose of erecting St. Peter's Church

[1] *Histoire de la Science Politique dans ses rapports avec la morale*, vol. i, p. 535.

[2] *Political Theories, Ancient and Mediæval*, pp. 298-300.

in Rome, gave Luther the sufficient cause to launch the Protestant revolt against the Roman Church by nailing his Ninety-five Theses to the church door in Wittenberg in 1517. The Protestant Reformation was primarily a return to the Bible, the simple faith of St. Augustine, and Jesus' teaching of a personal communion with God. The clergymen guilty of immorality and hypocrisy were condemned by the Protestant Reformers like the Pharisees by Jesus and the Apostles. Catholicism was then looked upon as revived Pharisaism. Accordingly, in proclaiming the freedom of individual conscience in all religious matters against the supreme authority of the Church and the Pope and in elaborating personal faith in God as the only way of salvation which is the fruit of the gospel as found in the Bible, Luther revived the original antithesis between Christian moralism and Jewish legalism. The Protestant revolt is therefore another revolt of *morality against legality*.[1]

Individual conscience as the ultimate criterion of Christian conduct, however, is not any rational faculty of moral judgment. Luther did not fully believe in the power of reason which he regarded as a function of flesh. If faith is a function of spirit, individual conscience is rather a power of faith, as inspired by the divine will in the Scriptures. For Luther and his followers the beginning and end of moral action is practical freedom of the will which can be free only by the grace of God through a personal communion with Him. The influence of the Augustinian doctrine of predestination thus appears within our ken.

The never-to-be-forgotten struggle between the Crusades and the Mohammedans was now recalled by the continual strife between Catholicism and Protestantism within Christendom. Fortunate for Luther was his timely success in winning the ear of the German people, and the support of the German princes who, infused with local nationalism, had been anxious to challenge the cosmopolitan supremacy of the Church and the Pope. The Reformation eventually

[1] In connection with this particular respect, Wundt makes a remark as follows: "Luther regards morality as lying not in the act itself, but in the disposition and tendency of the will from which the act proceeded. The liberating and atoning power of faith lies in the fact that it makes man do right by an inner necessity rather than by obedience to law. Hence no external standards can be applied to measure distinctions in the morality of actions." (*Ethical Systems*, pp. 49–50.)

exalted the prestige of the secular power as sanctioned by God. In favour of absolute monarchy Luther did not justify the right of rebellion against government, however just its motive might be Because in his eyes political rebellion would produce more evil than good. Likewise, John Calvin (1509–64) in his *Institutes of the Christian Religion* emphasized in particular the duty of passive submission to constituted authority as the Christian duty of passive non-resistance to political authority. In actual effect this emphasis strengthened the tendency to political absolutism and subordinated the Church to the State. Compelled by their social circumstances the Protestant Reformers, while preaching moralism in religion, had in this manner to advocate legalism in politics.

Rise of Issues between Monarchism and Anti-monarchism.— A real defender of absolute monarchy who studied political philosophy by his newly inaugurated historical and comparative methods we first find in Jean Bodin (1530–96) With the Renaissance the ancient Stoic conception of "natural law" and "natural right" was revived the more because of the popular struggle for both national and individual freedom; and those writers who followed Cicero and Thomas Aquinas in distinguishing between natural and positive law, were apt to differentiate the present politically organized society from the natural condition as found in the Garden of Eden Adam and Eve had inhabited. For this they had to assume an arbitrary beginning of civil society, which in turn presupposes the existence of a natural or pre-social condition Next, they had to consider the motives which determine the action of the people in entering into the condition of political organization To whom does the civil power of the social state belong? they would ask, and finally whether or not the people who once entered into the organized community out of their own wish have the right to rebel against it if deemed necessary. The Protestant Reformers, insisting on the omnipotence of the civil ruler as over against the Pope, denied to the people the right of rebellion. The debate on the question as to the right of rebellion has classified modern Western social and political thinkers into the affirmative and the negative groups—the anti-monarchists and the monarchists Bodin, siding with the negative, was a monarchist.

Following Aristotle, Bodin held to the social instinct of human nature. He found the natural origin of society in the spontaneous organization of the family. However, while he frequently came to the point that the State or civil society originates in force so as to restrict the free laws of nature prevailing in primitive condition, he did not fully develop the idea of a pre-social state and yet his whole theory clearly foreshadowed those of many subsequent eminent writers. Unlike Aristotle, Bodin considered slavery as neither a natural nor a useful institution, but simply historic. In view of universal humanity he denounced cruelty to slaves, warning masters against the danger of slave rebellion, and finally advocated the abolishment of slavery by enfranchising slaves little by little. His theory of sovereignty—regarded by many a writer as the beginning of modern political science[1]—states that sovereignty as supreme power over citizens and subjects is indivisible and inalienable and unrestrained by the laws except bound by divine and natural law. The sovereign is therefore the ultimate source of civil law and the transference of the popular sovereignty to the ruler by a social contract or common agreement is irrevocable. In dealing with the problem of social change and revolution, however, Bodin reverted to the organic view, and regarded the natural law of growth, maturity, and decay—characteristic of organic life—as applicable to the State.

Whatever his political emphasis might have been, Bodin's most original revolutionary contribution was his careful analysis of the effect of physical environment upon social life, human nature, and moral and religious institutions, and his scientific investigation of the reaction of men and of society to it. Such physical factors as the differences of latitude and of longitude, seasonable changes in temperature, elevation of the earth, distance from the sea, violence of winds, as well as fertility of the soil, are all determinant to the social character of a people. In his method of inquiry and his theory of physical causation, Bodin could legitimately claim to be the immediate precursor of Montesquieu.

Different from the French lawyer Bodin, a contemporary German jurist, Johannes Althusius (1557–1638), justified

[1] v. Lichtenberger, *Development of Social Theory*, p. 167.

the right of rebellion while emphasising the political institution as the ultimate authority determining the social conduct of the people. For him civil society arises out of an agreement, which originates in the natural wants of men. In the hierarchical series of the species of social organization, the highest one is the State. Nevertheless, all these must aim at the security of the spiritual and the secular welfare of the members. The government must therefore supervise religion, morals, and education as well as prescribe general rules of social conduct by promulgating laws.[1] On the basis of this viewpoint Althusius argued that since sovereignty fundamentally belongs to the people while rulers may come and go, the right of rebellion is justifiable if against tyranny. In this case the right of rebellion apparently rests upon the demand of social morality.

Hugo Grotius (1583–1645), the renowned Dutch jurist, revered as the "Descartes of legal philosophy" and founder of the science of international law, sided with Luther and Bodin in both advocating the security of religious freedom by the State and in denying the right of rebellion though not to the same extremity. He revived and developed the theory of natural law. Society originates from the social impulse of human nature which is the mother of natural law. Defining natural law in terms of the dictate of right reason and indicating that an act, from its agreement or disagreement with man's rational and social nature, is morally necessary or morally disgraceful, Grotius anticipated Kant's doctrine of the pure practical reason. Moreover, his dissociation of natural law from the divine will and revelation, differentiates his position from those of technical theologians.

Grotius was definitely a social contract theorist. Natural law, according to him, is pure in the natural state but peculiar to certain circumstances in the civil state. Yet his social thought was deeply tinged with his Christian faith in cosmopolitan brotherhood, and with his moral sentiment of universal humanity.[2] Everybody is possessed

[1] In this connection Althusius, while an ardent Calvinist, declared against religious freedom which, according to him, would distract religious faith and disturb political unity in a State.

[2] In his *The Truth of the Christian Religion* (Eng. tr. by John Clarke) Grotius even attempts to prove the truth of Christianity in general, as over against atheism, deism, Judaism, and Mohammedanism.

of humanity. The power to reason is inherent in human nature The test of rightness in human conduct, whether legal or moral, is rational conformity to the needs of humanity, of social existence Both moral and civil law are derived from human nature and reason *Morality and legality are equally emanations from humanity.*

The motive of Grotius to elaborate so many definite rules of international law in his *De jure belli ac pacis* was thoroughly moralistic with the strong conviction in mind that the principles of natural law or the dictates of human reason are applicable to international as well as to human relations He intended to make the commands of humanity work universally Hence, he could only contend that a declaration of war can be justified only by the violation of natural rights, and the process of waging war, by humane ways Warfare must be "civilized", so to speak. Sovereignty is the moral faculty of governing a State, which is the supreme political power. The rights of individuals can never be abrogated after they have surrendered sovereignty to the monarch While Grotius did not positively justify the right of rebellion, he held to the principle of mutual subjection of king and people, whereby though the people may claim the right of resistance against the king accused of bad rule, they must admit frankly the difficulty to tell the goodness or badness of an act, especially in political affairs [1]

B SYSTEMATIZERS

1. *Legality as Source and Criterion of Morality—Hobbes*

Hobbes Impressed by his Community—The earliest and great systematizer of modern Western thought who could contest with Kant in the solution of both metaphysical and practical problems, was Thomas Hobbes (1588–1679). Like Kant, Hobbes skilfully blent all the most conspicuous intellectual channels of his age in his system which reveals a continuous reaction either upon or against his predecessors. Again, both of them had an intrinsic interest in the mathematical way of reasoning, and made definition and deduction

[1] v. *Rights of War and Peace*, tr. by William Whewell, Bk I, chap iv,

fill their demonstrative process. Despite their likeness in methodology, they make a sharp contrast in metaphysics and particularly in practical philosophy: their conflict is essentially an elaborated rivalry between mechanistic materialism and transcendental idealism, between Epicurean hedonism and Stoic rigorism. Nevertheless, if Kantianism embodies the crowning phase of the intellectual attainments during the eighteenth century, Hobbism can legitimately claim to represent the crystallization of all mental efforts from the Renaissance up to his day.

As is usual with all great systems of thought, Hobbes' system reflects both his social environment and his intellectual background. All the thinkers in his days witnessed the political and social turmoil involved in the increasing conflict between absolutism in government and the rising spirit of popular freedom and independence. In England the struggle of King and Parliament finally precipitated the execution of Charles I in 1649 and the establishment of the short-lived Commonwealth in 1653 under the Puritan leadership of Oliver Cromwell. Like Bodin in France, Hobbes in England, owing to his personal tutorship of the son and successor of Charles I, sided with the royalist party in a time of civil dissension, and therefore had a deep sympathy for absolute monarchy

The puzzling issue between King and Parliament, as a matter of fact, was a decisive strife between Scottish absolutism and English constitutionalism, between Catholicism and Puritanism, and between "divine legality" and "human legality" in particular. The Parliament Party, by appealing for support to *Magna Carta* and the pledges of King John (1199–1216) whereby England had been made "legal" instead of "regal", aimed to hold the king subject to law which had its source in the people represented by the Parliament. Thus, as spokesmen of the Puritan revolutionaries, John Milton and James Harrington sustained and defended the cause of the Commonwealth. On the basis of his assertion of individual liberty and from the standpoint of a social contract theorist, Milton argues that the ultimate political power is in the people since all men are born free and equal, and contends in demurrer that if the election of a king rests upon God's will, the disposition of a tyrant for violation of right and law

in God's act similarly. However, when the Stuart king, Charles II, was restored in 1660, the Royalist Party *de facto* triumphed with Sir Robert Filmer's argument in dim memory which he had advanced in his *Patriarcha*[1] against the idea of popular sovereignty and in favour of the divine right of kings—which, according to him, originated in Adam by the will of God—on the basis of his denial of the natural freedom and equality of men as well as his negation of the contractual origin of the civil state. As a royalist Hobbes tactfully adapted the dogmas of natural equality and the social contract theory—both so prevalent in current thought—to the support of absolute monarchism. Yet, his denial of the divine right of kings led him to admit the absolute government of Cromwell as most congenial to his views.

Hobbes in Reaction to his Community.—In actual effect Hobbes became a philosophic monarchist rather than a practical politician. The first premise of all his philosophic teachings is simply his indomitable conviction that motion is the first principle to which the cause of anything can be reduced according to mechanically fixed laws. Life is continual motion. Mind is motion in the brain. States of consciousness are but effects of motions, and memory-images arise according to fixed laws. Reasoning is a kind of calculation. Finally, both Passion and Reason, the two principal parts of our nature, are also reducible to motion.

In his analysis of the motivating factors of human conduct, his main emphases are distinctly differentiated from one another—that is, the impulse of self-preservation as the spontaneous factor, the faculty of reason as the adaptive factor, and government as the ultimate regulative factor which Hobbes, as opposed to the schoolmen, put in place of the Church. The conception of human nature as primarily egoistic, self-seeking, and individualistic, forms the basis of his whole social philosophy.

The basic, spontaneous motive of human conduct is fear—fear of death in particular. Therefrom arise the desire of necessaries to sustain life, and the hope to obtain them. These motives are but motions of the mind, and their emotions are based on the consciousness of appetite and aversion which are the slight beginnings of motion to

[1] Filmer died in 1653, and the work was published in 1680 in the later days of Charles II.

or from the object that stimulates the motion. The sense of appetite is pleasure, of aversion pain.[1] "Every man, for his own part, calleth that which pleaseth, and is delightful to himself, GOOD; and that EVIL which displeaseth him."[2] Therefore there is neither absolute good nor absolute evil. All such human passions as above indicated represent the purely egoistic and individualistic character of human nature.

The drive of all human action is a "perpetual and restless desire of power after power, that ceaseth only in death", whether instead of power the object of desire be wealth, praise, ease, knowledge, or glory.[3] Since happiness consists in the continual satisfaction of desires, one after another, if all men—born equal in ability—have the same aim, they would perish in perpetual strife but for some superior power to restrain them. The natural or pre-social state, where there is no such supreme power, is but an intolerable state of war. Therein, human action is either spontaneous or anti-social, but never socially regulated. At this critical moment the faculty of reason steps in to the rescue, and functions in suggesting efficient means of attaining certain ends in adequate ways. It may find out certain patterns of conduct, such as justice, gratitude, modesty, etc., which, contrary to man's natural passions, can hardly be observed. Otherwise, it may prescribe certain moral laws of nature by virtue of which peace and order can be secured. These moral laws are natural laws prevailing in the natural state; they also are divine laws because their prime author is God.[4] The first and fundamental law prescribed by right reason is the law of peace-security, upon which all men may be drawn to agreement. This is the will of God, the Gospel of Jesus, and is based on the golden rule of social conduct, "do to others as we would be done to".

From this fundamental law of peace-security arises the second law—the law of renunciation of the absolute right everybody possesses and enjoys in the natural condition.

[1] Hobbes, *The Elements of Law*, pt. I, chap. VII, sec. 1. Pleasure is "motion about heart as conception is nothing but motion within the head, and the objects that cause it are called pleasant or delightful, or by some name equivalent."

[2] Ibid., sec. 3.

[3] Hobbes, *Leviathan*, chap. XI, pp. 82 ff.

[4] *The Elements of Law*, pt. II, chap. X, sec. 7.

Starting from the current view of natural law, Hobbes' ethics distinguishes natural right as absolute liberty or absence of external restraint from natural law which implies dictates of reason regulating human manners and actions. In the natural condition it is scarcely useful for the individual to recognize the rules of natural law before the bar of his own conscience. Although natural law primarily intends to regulate human action, such possibility is secured only when everybody agrees to renounce his own absolute, natural right. Yet unless some supreme authority be established to keep him in awe, the covenant can hardly be lived up to. Two alternative ways of salvation are open then: common submission to an earthly authority or establishment of the Kingdom of God on earth by Christ, the returned Messiah. The regulation of the egoistic impulse and the protection of the group are needed, of course. The only way to erect a common power through human efforts is "to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will."[1] "The mutual transferring of right" is "contract."[2] It is executed out of the motive of the mutual fear and distrust of men, and on the basis of such a common covenant men enter into the political organization of the commonwealth which is the great leviathan, the mortal God, on account of its unmeasurable utility for common protection.

Altogether Hobbes elaborated some nineteen laws which prescribe conditions guaranteeing peaceable common existence. The third one is the law of justice, of covenant-performance—observance of such virtues as fidelity, gratitude, courtesy, etc. All the people in the civil or politically organized state are expected to live up to the common covenant. While Althusius separated the social contract from the institution of authority, with Hobbes these coincide. All civil power rests on the original consent of the governed. The sovereign, whether he be Charles I or Oliver Cromwell, must be endowed with absolute authority to enforce his commands and exact absolute obedience from his subjects. "Sovereignty cannot be forfeited."[3] To transfer a man's power and strength to the sovereign

[1] *Leviathan*, chap. xvii. [2] Ibid., chap. xiv.
[3] Ibid., chap. xviii.

SCHOOL OF LITERARY 376

is simply to relinquish his own right of resisting him.[1] Therefore, the right of revolution is not justifiable legally because the sovereign is himself the source of civil law; and not justifiable even by natural rights because the responsibility of the proper exercise of sovereignty implies the unconditional abrogation of these natural rights as prescribed in the second law of nature. In case the sovereign be no longer able to protect the subjects as expected in the social contract, their obligation to him *ipso facto* ceases

If natural laws are dictates of right reason, civil laws are but artificial chains or rules of conduct proclaimed by the commonwealth However, civil law is the only guarantee of natural law and assures the execution of it Like Machiavelli, Hobbes insisted on the law-enforcing rôle of the government While Machiavelli excluded religion and morals from politics, Hobbes subordinated both to it In view of the inevitable dependance of public order upon civil law, Hobbes greatly elaborated the significance of legalism, and even went so far as to subject conscience and religion to the civil authority, though he tends towards general religious toleration as a policy. Social morality entirely depends on positive law and institution, especially so since the claims of individual conscience in the natural state are essentially anarchial. The absolute conformity of action to the precepts of the social contract is a matter of legality, and yet it is the source and sanction of moral conduct The notions of right and wrong, of justice and injustice, are qualities that relate to men in society, not in solitude *The possibility of morality therefore pre-supposes the actuality of legality*, and *legality is then the source and criterion of morality* The ultimate regulative factor determining human conduct—either legal or moral or religious—is civil government.

2. *Morality and Legality as Different Aspects of Social Conduct—Spinoza.*

The greatest contemporary thinker whose system stands out in sharp contrast with that of Hobbes, was Benedict Spinoza (1632–77). While Hobbes had an intimate share

[1] *Elements of Law*, pt. 1, chap xxi, sec 10

and deep interest in public life, the Jewish thinker, being himself an outcast from his own community, eventually leaned towards individualistic contemplation as the natural result of his solitary life. The motives back of Hobbes' intellectual efforts were largely scientific and political, whereas the impelling motrve of Spinoza's thought was ethical and religious Despite their common supreme preference for the geometric method of demonstration, they would have to debate on the incompatible metaphysical issue between mechanistic materialism and double-aspect pantheism With his thought permeated with religious sentiments, Spinoza developed a philosophy of rationalized religion, which he even carried to the consideration of the details of human action and purpose

The ultimate reality of the universe, for Spinoza, is the one Substance having two aspects as revealed in two parallel series of finite modes, the realm of physical events and that of mental ideas. Man as a finite part of the Substance is therefore a double-aspect system—the physical and the psychical An event, in its psychical aspect, is an idea; in its physical aspect, it is the immediate object of that idea Likewise, life has two aspects: in the natural aspect it is bondage, subjection to emotion, in the ideal aspect it aims at perfection under the guidance of reason through free intellect

The natural factor of human conduct in the system of Spinoza is emotion, which is not a mere disease but a real part of human nature. It is bad if it takes the form of passions such as desire, joy, or sorrow, which are the basic causes of bondage All sorts of emotions are confused ideas due to outer forces We are slavish and passive if our conduct is determined by such outer influences, and cannot express the inner nature of our own being We are free and active if our conduct is guided by reason or the divine thought Freedom is thus but absence of external constraint. To be free is simply not to be bound by passions but to be bound by God's eternal laws Freedom is therefore nothing but inner self-determinism The human soul is determined by the divine thought of which it is a mode; the physical object, by mechanical laws. There is no absolute freedom. But reason points the way to inner self-determinism.

Reason thus functions as the ultimate adaptive factor, teaching what we do by the will of God and in what our happiness consists and what are the right ways of salvation. The ultimate motive of salvation is the impulse of self-preservation as already taught by Hobbes. As to the two aspects of self-preservation, Spinoza teaches that reason leads us to the intellectual love of God as the psychical ideal way, and advocates our entrance into the social state from the natural condition as the natural, utilitarian way. However, while Hobbes despaired of finding in man any power of self-control in the absence of external normative forces, Spinoza, a social contract theorist as he was, asserted the possibility of self-discipline by mystically affiliating man with God, which, according to him, was guaranteed by the power of the intellect. Knowledge is the basis of self-discipline. The power of the mind is defined by its knowledge.[1] The highest form of knowledge is the intellectual love of God, which is also self-knowledge. The self being a part of the Substance, real self-knowledge must be identical with knowledge of God, and upon such knowledge virtue and happiness rest. To know the self and God is to have clear and adequate ideas and to cease to be passive or in bondage. The purpose of Spinoza in his *Ethics* was in fact mainly to demonstrate the ability of the intellect to save mankind from bondage by passions.

In this connection Spinoza made no distinction between the intellect and the will. The soul on knowing ideas is intellect, and on affirming or denying what is true and false is will. Our conduct is moral in so far as it conforms to the law of reason through the power of the intellect. Virtue is the rational strength which enables man to freely strive after perfection, or imitation of God, and in the process of perfection pleasure is involved.

The failure of the law of reason, however, must be supplanted by the law of nature, which Spinoza derived from objective nature. Like Hobbes, Spinoza held that utility led mankind from the pre-social condition to convention. Political institution is organized on purpose to supplement the limits of reason as an impelling factor. The civil state and law are therefore results of conventional association.

[1] The first kind of knowledge, according to Spinoza, is sensory; the second, rational; and the third and highest, intuitive.

and utility is the sole test of their goodness. Hobbes, conceiving of human nature as through and through self-seeking, had to uphold the negative claims of man's natural right in the civil state, and therefore even subordinated religion and conscience to the authority of government; whereas Spinoza, starting from his conception of human nature as both selfish and social,[1] held the regulative factor in service to the adaptive factor. Throughout his system, Spinoza pleaded for individual freedom. The state as a free and intellectual union of individuals has for its highest purpose to further the concrete interests of true liberty rather than to threaten its subjects with punishments by regulating their conduct with rigid laws. Hence, it must secure the freedom of thought, of speech, of religious belief, and of conscience. Therefore, if the government does not perform its moral rôle and does not live up to the promise originally made, the people has the right of revolution against the tyranny. *Legality is conformity to the law of nature, and utility is its criterion; morality is conformity to the law of reason, and its criterion is the intellect.*

3 *Legality as Subordinate to Morality—Locke*

Thomas Hobbes' next opponent was his compatriot, John Locke (1632–1704), son of a Cromwellian soldier, who grew up only to become the champion of the British Revolution of 1688, whereby James II, the last Stuart king, fled to France and William and Mary, invited from Holland, began to reign in England. By his records in public life—association with Lord Shaftesbury, founder of the Whig Party, in political affairs as well as his diplomatic service—and his standpoints in philosophy, Locke was led to a diametrical opposition to Hobbes. In methodology he was through and through an empiricist, in metaphysics a psycho-physical dualist. As to his practical teachings, he advocated religious and civil toleration, and held to the theory of limited monarchy and defended responsible government and the natural and civil rights of the people.

[1] While holding that the actual essence of everything is the endeavor "to persist in its own being" (*Ethics*, pt. III, Props. 6, 7), Spinoza asserts that the individual has no reality apart from the whole since it must be a partial expression of God's essence.

He published his *Two Treatises of Civil Government* in 1690 on purpose to justify the revolution of 1688, and also to make good the title of King William in the consent of the people. The first treatise was devoted to the refutation of Filmer's doctrine of absolute monarchy founded on divine right; in the second he developed his own views in contrast with Hobbes'.

As to the underlying grounds of human action, Locke apparently emphasised the impulse of self-preservation as the natural factor, reason guided by the divine will as the adaptive factor, and representative government as the regulative factor. Opposed to Hobbes' legalism and assertion for the dependence of the moral order upon civil laws, he set the moral order independent of civil laws and put it on the basis of the law of nature and on natural rights. In ethics, he undertook to deny innate moral ideas by pointing out individual differences and the uncertainty involved in them. There can be no *summum bonum*. Conscience is but our acquired sense of the rightness and wrongness of human actions. All ethical principles, founded upon social conventions and precedents, are intuitively known as they can be demonstrated as precepts of the law of God. By elaborating this authoritative and religious basis as every deist of the day would have done, Locke developed his ethics into a religio-philosophical doctrine of blessedness. Our conduct is therefore moral in the eyes of Locke in so far as we voluntarily conform it to the precepts of the divine law.

For Locke, the basic motive of human conduct is self-love. Unlike Hobbes, however, he did not go to the extreme of egoism while holding that human nature is sociable as well as self-seeking. Therefore, according to him the law of nature—of which reason is the interpreter—is valid in the primitive condition, and ethical rules are actually obligatory even in the absence of political society. "Men living together according to reason without a common superior on earth, with authority to judge between them, is properly the state of Nature."[1] Locke's "state of Nature" is therefore "pre-political" rather than "pre-social". It is not pervaded with mutual fear and distrust of men. While therein men enjoy freedom and equality,

[1] *Civil Government*, Second Treatise, sec. 19.

among them there prevail social relationships and mutual aid to the extent that one's own preservation is not impeded by his aid in preserving others, although they possess no innate idea of benevolence. Besides the fundamental natural right of self-preservation, Locke argued for the existence of the rights of the enjoyment of freedom and the security of property in the natural state. Above all, he initiated the idea of the labour theory of property, of wealth, and of value, which was further developed by English economists of the classical school.

In the state of nature, however, standards of conduct as defined by the law of reason, because susceptible to diverse and sometimes even incompatible interpretations among different individuals, are not uniform. People had to "appeal to Heaven" for fair judgment in any dispute. The natural state thus involves dangers and insecurities, which are only to be removed by firm laws, impartial judges, and an executive power. The desire to acquire the regulated security of legal relations that have been exposed to danger, leads to the establishment of the civil state. The motive of political organization is that of advantage rather than of necessity. The difference between the natural and the civil state lies in degree rather than in kind. The civil state is in the long run an artificial instrument for the promotion and security of individual freedom and private ownership.[1] Civil power is derived from the people who transfer not more of their rights to the state than is necessary to secure the governmental guaranty of right. Locke therefore advocated limited monarchy and separation of administrative powers. The government, in order to protect the lives, liberties, and estates of its subjects, must set up what the people wanted in a natural state—that is, an established, enforcible law, an impartial judge, and a powerful executive. The basis of any lawful government in the world is the majority rule. The essential element in government is law—that is, civil law—and the legislative power is the supreme power in the commonwealth. But there can be no incontrovertible

[1] Locke's assertions for the regard for individual liberty, and the respect for individual property, indeed, "crystallize the attitude and temperament of the English mind," as Bertlshaimer says (*The World's Legal Philosophies*, p. 137).

law-making authority. Behind civil law there stands the law of public opinion; behind the legislative power, the superior power of the people. Since the dissolution of government is different from that of society, society has the power to displace the holders of governmental authority. This power as the right of resistance is derived from the "appeal to Heaven". As a great anti-monarchist, Locke held public opinion to be the supreme judge of the conduct of government, and attributed the right of revolution to the majority of the people who find their government acts contrary to its trust. No wonder he has been remembered as the forerunner of the North American and French Revolutions.

On advocating representative government as the most important factor regulating our conduct, Locke, unlike Hobbes, emphasized moralism rather than legalism. Legality is conformity to the rules of civil law; morality, voluntary conformity to the precepts of divine law. Yet, in the eyes of Locke *legality must essentially conform to morality*. "The law of Nature," he writes, "stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions must, as well as their own and other men's actions, be conformable to the law of Nature—*i.e.* to the will of God, of which that is a declaration, and the fundamental law of Nature being the preservation of mankind, no human sanction can be good or valid against it"[1] The government, therefore, maintains peace and order not through arbitrary laws and military forces, but through the consideration of public opinion and the nature of its ordinances.

Among all the pre-Kantians, Locke has left the most enduringly influential impression upon the subsequent minds from his contemporaries to thinkers of the present day. Leibnitz (1646–1716) was his first contemporary to react against his thought by confronting empiricism with rationalism throughout the whole philosophic course. The innateness and nativity of certain moral principles to the soul is now affirmed as a matter of course, though it is admitted by Leibnitz that habit, tradition, and education may contribute to their development. However, on the basis of his metaphysical doctrine of pre-established harmony

[1] Op. cit., sec. 135. Italics in text.

Leibnitz emphasized in his altruistic ethics love to man besides the love of God Current tendencies to altruism finally culminated in the ethics of Hume and Adam Smith

The sceptic Hume (1711–76), who denied the substantiality of mind and distrusted the power of reason in such wise that the nexus between cause and effect was even looked upon as expectation due to mental habit, naturally considered actions of the will as produced primarily by feeling and not by pure reason. He did not emphasize "utility" as the ultimate basis of morals, although he admitted it as a source of our sentiments of morals through sympathy.[1] For him feeling is original and immediate; reason, derived from reflection and comparison. A feeling is excited through the idea of an action done by anybody and always precedes every moral judgment, and that feeling Hume regards as a fellow-feeling, a sentiment of sympathy which is the real ground of morality Sympathy is therefore the basic factor through which man adapts himself to his fellow-men and community. The constant basis of human conduct, however, is not sympathy but habit to which Hume repeatedly called our special attention. He repudiated the doctrine of social contract as the interpretation of government on the ground that this theorized concept was never known to those primitive men gathering together into a political organization Obedience to government was consciously determined at first but gradually became habitual until it turned into a matter of custom and tradition largely

As to the specific quality of the moral sentiments, it was not Hume himself but his friend, Adam Smith (1723–90) who elaborated in place of the perception of utility—which was depreciated as an after-thought—the sense of propriety to be "the most essential and universal element of our moral judgments" The faculty of our moral judgments, which primarily pass on the conduct and character of our neighbours, and afterwards of ourselves, is conscience which

[1] This view he set forth in his *Treatise of Human Nature* (Bk. III, pt. iii, sec. 1) Later on in his *Enquiry concerning the Principles of Morals*, he gave importance to the word "utility", which he sometimes represents as the idea of usefulness to any end, and sometimes as conduciveness to happiness as an end In the latter case happiness refers both to the self and to the fellow-men Yet conduciveness to the happiness of others rests upon the operation of sympathy

functions exactly like an impartial spectator in all moral situations. This impartial spectator within the breast is then nothing but the notion of public opinion transferred by sympathy into the individual's inner life and contemplation.

As to the function of the government, Leibnitz, Hume, and Smith all insisted on its economic rôle. With their ethics based on the sympathetic instinct of mankind, both Hume and Smith developed their systems of political economy from the acquisitive instinct, however. The labour theory of value initiated by Locke was completely systematized by Smith. Again, the traditional English assertions for the regard for personal freedom and the respect for individual property, Smith placed on theoretical bases. The government, to secure national prosperity, must allow free play to the acquisitive instinct of the individual, who should be granted enough freedom in trade, commerce, and industrial competition. In the eyes of some writers,[1] however, Smith's *Theory of Moral Sentiments* and *Wealth of Nations* are in principle as contradictory to each other as the sympathetic and the acquisitive instincts are. The relationship between these two tendencies Smith left practically unexplained and rather puzzling. But as far as we can see, the sympathetic tendency is essentially due to the adaptive activity of the mind to its environment—to its social environment in particular; whereas the acquisitive instinct is derived from the spontaneous impulse of self-preservation which is to be guided, protected, and supervised by the government.

4 *Morality or Legality as Primarily Due to Physical Surroundings—Montesquieu*

The basis of human conduct, whether legal or moral, Montesquieu (1689–1755) interpreted in terms of the effect of physical and natural surroundings. The condition of warfare in the pre-political state, according to him, is due to such basic spontaneous impulses as peace-security, hunger, sex, and social desire; to restrain them positive laws develop in the civil state which arises from the

[1] Höffding, *History of Modern Philosophy*, vol. 2, pp. 443, 444; Wundt, op. cit., p. 79.

conjunction of human wills. Montesquieu takes into no account the nature of this covenant, but very seriously the conditions which determine the character of its laws—that is, the Spirit of Laws. Aside from the two traditional views of law—namely, law as a dictate of reason and law as the command of a superior—Montesquieu defines positive law in terms of relations in order to exclude from the conception of law the element of personal caprice. "Laws, in their most general signification, are the necessary relations arising from the nature of things. . . . There is, then, a primitive reason; and laws are the relations subsisting between it and different beings, and the relations of these to one another."[1]

Montesquieu's doctrine of liberty is not so much concerned with the separation of powers in government as with the rights of man. The threefold division, as was already suggested by Locke and has been developed by Montesquieu, is to secure political freedom against tyranny by preserving the dynamic balance of power, automatically checking abuses, and preventing the imperilling of civil liberty. According to him, each of the three forms of government—republican, monarchic, and despotic—has its peculiar principle which determines its educational and legislative as well as administrative policies. The republican government has the principle of "virtue"[2]; in monarchy the principle is "honour"[3]; and in despotism it is "fear".[4] Under a despotic government like that of Louis XIV there is no occasion for virtue, and honour would be extremely dangerous. In function and effect these different principles as enumerated by Montesquieu are but the ways different forms of government prescribe rules to their subjects; and, as far as we can trace them, in the long run they became the basic motives which determine the action of the individual in his social life. True, under despotism rules and ordinances are prescribed with threats of punishments, and the individual acts simply out of his motive of fear.

While in France Montesquieu expected to see the kingdom reformed through the separation of the legislative from the executive power of government, he considered different laws and different forms of government as suited to different

[1] Montesquieu, *The Spirit of Laws*, vol. i, p. 1.
[2] Ibid., pp. 28 ff. [3] Ibid., pp. 29 ff. [4] Ibid., pp. 30–1.

circumstances. All morals, civil laws, and social institutions, according to him, presupposes certain natural conditions and are not arbitrary products. Thus, instead of dealing with any particular mental activity as the adaptive factor of human conduct, Montesquieu lays a special emphasis upon the natural normative factors involved in the physical environment. He particularly considers the influence of climate. As the effect of temperature and moisture, climate first affects the organs of the human body, then the development of temperament, and finally the organization of social institutions. For instance, monasticism prevails in warmer climates, drunkenness in the colder; liberty is favoured by the colder climates, slavery by the warmer. Such being the case, it is nothing but the physical environment that is primarily responsible for the determination of human conduct.

5. *Naturalness as Source and Criterion of Morality and Legality—Rousseau*

A great contemporary French thinker rivaling Montesquieu was Jean Jacques Rousseau (1712–78). Characteristic of Montesquieu's mentality being his initiating scientific temper, Rousseau continued the development of the social contract theory, a rather vanishing type of social philosophy. Nevertheless, his teachings left an everlasting aftermath in the subsequent history of mankind. Living an early life of misadventure, and encountering numerous reverses in his manhood, his frame of mind took a different start. With his sensitive, emotional temperament exposed to a tremendously stimulating environment of the middle eighteenth century in France,[1] Rousseau

[1] Since the opening of the seventeenth century absolutism had been supreme in France. The Estates General running in parallel to the English Parliament for a time, held its last session in 1614. The zenith of despotic rule under Louis XIV (1643–1715) found its embodiment in his bold doctrine, "Je suis la terre." Thus "divine right" king was brilliant enough to maintain peace and prosperity in France and elevate her national prestige on the one hand, and to subdue the Protestants and the third estate on the other. This despotic regime, however, was founded on no secure moral bases, and so precipitated within itself the germs of its own destruction. The doomed fate of his absolutist monarchy came more and more to the fore in the days of Rousseau when Louis XV and Louis XVI (executed in 1793) attempted to rule by the same divine right while without his ability.

became keenly resentful towards every social institution bound by artificial chains while looking backward to the innocent savage life with sympathy and admiration.[1] The existing social condition must have struck him as utterly "pathological" when he wrote "Man is born free, and he is everywhere in chains", as the opening sentence of his *Social Contract*. Therefrom he resorted to logical deductions and hypothetical reasonings, instead of taking historical facts as truths, in order to look for the causes of its whole symptom and then propose remedies for it.

Condemning the artificial chains of civilization, Rousseau looked to the natural rights enjoyed and instinctive activities pursued by the innocent savage in the state of nature. The natural state alone appeared "perfectly healthy" to him and therefore was regarded as good and ideal. Vices and virtues being social qualities, whatever one acts in the natural condition is neither moral nor immoral but unmoral. Therein the family, based on natural and voluntary agreement, is the only natural society. All the rest as those found in the present social order are simply conventional. As to the main causes of the transition from the natural to the civil state, Rousseau accounted for them in connection with the growth of physical and economic wants and the strife to fulfil them.[2] They are factors of evil, sources of trouble. Hence, "Back to nature" is the only way of salvation.[3] To be natural, however, is not to be a savage, for it is only in vain to remove error

[1] The noble origin, wealthy livelihood, sound education, social popularity, and successes in public life, which Montesquieu had while Rousseau missed, must have added much to their mental difference.

[2] These causes are the so-called "accidents" elaborated by Rousseau which Lichtenberger in his *Development of Social Theory* (p. 198) well sums up as follows: "The growth of personal possessions in land, tools, products of agriculture, and the chase, individual appropriation of land being the first and worst, the increase of population and the growth of collective families, increased gregariousness, and prepared the way for vice and crime, characteristic of social history; the rise of mining and agriculture introduced slavery; the growth of language improved communication and developed forethought with increased competitive strivings; the formation and coalescence of groups, antagonisms between groups, disparity of rank and condition. The abuse of riches led to usurpation and war."

[3] In his *Discourse on Inequality* (published in 1754, eight years before the *Social Contract* appeared), Rousseau went to such an extreme as to advocate a complete return to nature while negating law, government, and revolution.

by reaffirming previous ignorance. To be natural in the civil state is then to reassert all natural rights, to enjoy liberty, and to be free from constraint. To attain to this end, Rousseau emphasized three factors, namely, moral sentiment, natural education, and liberal government.

The voice of conscience is the cry of nature. It springs from the heart. The basis of the will is interest. Human action throughout the various phases of the natural state is determined by two specific principles anterior to reason—the sentiments of self-interest and of sympathy. In the civil state these natural feelings give way to reason, which is nothing but the pernicious product of the artificialities of civilization. Thus, stressing emotion and minimizing reason, Rousseau re-stated in different terms the ethics of sentiment adopted from Hutcheson, Hume, and Adam Smith.

As to natural education Rousseau's theory finds its remote origin in Locke's empirical emphasis on the natural development of the child's individuality. The weakness of human nature is the cause of badness, and it therefore arouses the necessity of education. "Everything is good as it comes from the hands of the Author of Nature; but everything degenerates in the hands of man."[1] Society being a system of servitude, education should aim at the emancipation therefrom—at the full realisation of natural freedom. To be free is to be "natural". To be natural is not to do anything one wants, but to keep from getting lost, which is the office of education.[2] Nevertheless, education is not governing but serving. It aims to help the child rely upon himself and realize his inner nature which is to be given free play. Accordingly, every child must be granted a natural right to free self-development. The educational institution in the civil state, in order to function as a normative factor of human conduct, must be adapted to the "dictates of nature", so to speak.

The same is true with the political institution. Despite man's loss of his original freedom through artificial chains imposed by social life and institutions on entering into the civil state, Rousseau advocates no anarchism but undertakes the task of finding the way of justifying and

[1] Rousseau, *Emile*, p. 1.
[2] Cf. Wright, *The Meaning of Rousseau*, p. 34

rendering legitimate this transformation from natural freedom to social enslavement. The civil state founded on force cannot be justified. Might does not make Right. Compulsory legality cannot be reconciled with voluntary morality.

On entering into the civil state the individuals surrender nothing to any sovereign. Because they are collectively the sovereign. The act of association carried out by them produces a "moral and collective body", which derives from this same act its unity, its common being, its life and its will. The public personage is called "the *state* by its members when it is passive; the *sovereign* when it is active; and a *power* when comparing it to its equals".[2] The act of association that institutes the government is a law which can be revoked at the will of the people, who from the very beginning have the right of revolution against misgovernment. It is derived from "the general will" of the people as based on the unanimous opinion of the majority. That general will constitutes the essence of sovereignty, the principle of the only just and legitimate political order.

The sovereign, thus differentiated sharply from the government, is inalienable, indivisible, and cannot err. Its act is law not made by compulsion, but by agreement. "The greatest of all" should be the object of all systems of legislation which, according to Rousseau, is reduced to two principal things: liberty and equality.[1] The legislative function of the government belongs to the people who have equal voices, and whose general will creates it, and is therefore superior to it. The sovereign commands, the government executes, the subject obeys.

In the light of the conception of the general will of the people as the sovereignty, and as the only source of law, authority can be reconciled with liberty. Freedom is a matter of self-determination; liberty, obedience to self-imposed law; and naturalness, the criterion of both. Since man is essentially good, the less government the better but not anarchism. Therefore direct government is the only safe method. Rousseau, however, takes precaution to prevent ochlocracy which might arise from the abuse of democratic government, and yet he is consistently

[1] Rousseau, *Social Contract*, p. 82. Italics in text.
[2] Ibid., pp. 77–8.

an advocate of extreme liberalism and natural moralism as means of social control.

C. KANT

Regulative Use of Pure Reason.—All the preceding currents of thought met in Immanuel Kant (1724–1804). Born of a humble family at Königsberg, and scarcely ever travelling any further away than beyond the edge of the suburb of his native city, he lived a socially simple and monotonous life whereby, however, he was afforded ample energy to weave out from all pieces of knowledge ever accumulated a great system of philosophy marking "the perfect manhood of the Aryan mind"[1] What Kant learned in the cradle was really carried to the grave: the school training he received in science, theology, and philosophy, the social and political affairs he saw or heard of in his manhood, and above all the influence of his profoundly pietistic mother that underlay his early boyhood, all left evident marks upon the development of his philosophic thought. In his scholarly career, though his investigation of the faculty of reason proper was more enterprising than his systematization of social teachings, yet his adventuresome effort proved more fruitful in the practical than in the speculative sphere. After critically examining the ability of pure reason, Kant limited its capacity only to the regulative use of its three *a priori* ideas, namely, the theological, the cosmological, and the psychological, whose respective concepts—God, freedom, and immortality—are like the things-in-themselves unknowable, but are the basic needful postulates for practical life.

While affirming the regulative use of pure reason, the *Critique of Pure Reason* eventually ends with a rather negative contention that the phenomenal, sensible, knowable world is merely the reflection of the cognitive consciousness by the synthetic unity of apperception, beyond which all assertions are fallacious and groundless, although human reason always tends to overstep these limits. Therein, however, Kant insistently holds to the positive view that,

[1] Max Müller in his English translation of Kant's *Critique of Pure Reason* (p. lxxvii) proclaims that Kant's transcendental philosophy as expounded in the work marks the perfect manhood of the Aryan mind.

while unable to comprehend its transcendental ideas speculatively, pure reason can use them in disciplining and regulating human conduct. That practical or "pragmatic" function of pure reason the Sage of Konigsberg cannot underestimate. Accordingly, after the publication of his *Critique of Pure Reason* in 1781, he apparently planned to spend the rest of his philosophic life in the development of the conclusions thus arrived at, in their application to all the fields of his philosophic interest, and in the exposition of the social teachings therefrom derived.

As to his analysis of the motivating factors of human conduct, his main teachings are best expounded in his subsequent works on the *Foundation of the Metaphysics of Morals* (1785), *Critique of Practical Reason* (1788), *Metaphysical Rudiments of Jurisprudence* (1797), *Metaphysical Rudiments of Morals* (1797), and *Lecture-Notes on Pedagogy* (edited by Rink in 1803). Throughout all the phases of the development of his thought rationalism or his emphasis on the rationality rather than sociality of the basic human nature is the undercurrent. Berkeley's empiricism provoked him, Hume's scepticism interrupted his "dogmatic slumber", and the social contract theories of Hobbes, Locke, and Rousseau in particular, attracted his attention. However, the Continental rationalistic trend from Descartes through Spinoza, Leibniz, Thomasius, Baumgarten, and Wolff, lineally descended to him. Upon an eternal and immutable, universal and necessary, basis, he attempted to place his practical philosophy as a matter of course. On doing this reason was his own guide, and in his eyes it is and ought to be the adaptive and imperative factor determining human conduct. Weaving and dissecting diverse systems of thought on the same loom, the Sage of Königsberg was more creative than eclectic, however. He sought the ultimate ground for his deductive arguments in the moral laws of freedom—a needful postulate of the pure practical reason. The conception of freedom therefore forms the guide to his moral teachings and also the key to his legal principles.

For Kant pure reason can be practical, that is, can of itself determine the will to action independently of anything empirical. The true essence of man's inner nature is not the intellect but the will, and the will is the practical

reason itself in so far as it may determine the voluntary act of choice. It is the "good will", the absolutely good will, if its maxim, when made a universal law, never contradicts itself. This supreme law, "Act always on such a maxim as thou canst at the same time will to be a universal law," is the sole condition under which a will can never contradict itself, and such an imperative is categorical.[1] The only thing in the world which is good unconditionally, as an end in itself, is such a good will.

Pure reason, in order to be practical and good, must therefore needs imply the postulate of freedom as its ultimate basis and as a hypothesis in its regulative use. Autonomy of the will is "the basis of the dignity of human and of every rational nature".[2] It is the supreme principle of social conduct. In the positive sense freedom means the capacity to make an absolute beginning through the self-legislation of the pure practical reason. Negatively it implies "independence on *determining* causes of the world of sense".[3] Freedom is then a matter of self-determination; it is a sort of causality—causality not in the sensible but in the intelligible world. The freedom of the will is thus the sole source of practical principles and its intelligibility and certainty are assured by its regulative use.

To regulate human action, the pure practical reason prescribes imperatively the fundamental moral law, "Act so that the maxim of thy will can always at the same time hold good as a principle of universal legislation."[4] The mind as conceived of by Kant is a universally valid system of logic, and therefore the will of every rational being, if really rational at all, is a universally legislative will which in all its maxims gives universal laws. The pure practical reason regulates human action by determining the will with such a moral law. Analogized to the natural laws given by the understanding to the sensible, phenomenal world, the moral law is given by pure reason to the intelligible world and therefore in accordance to this law the postulate of freedom expects to live up to its promise. It is therefore a law of causality prevailing in the super-sensible world.

[1] *Kant's Theory of Ethics*, Abbott's tr., p. 35.
[2] Ibid., p. 64.
[3] Ibid., p. 74. Italic in text.
[4] Ibid., p. 119.

As the only vital force of the faculty of pure reason in motivating human conduct, it is autonomous and imperative; and its command is categorical because it is unconditionally authoritative in imparting its legitimacy to the motive of an action. The moral law is therefore the categorical imperative.

Morality versus Legality.—The action conformed to a practical *a priori* law which determines the will directly, is good in itself. All actions carried in conformity to the moral law are either legal or moral as according to the nature of their motives or modes of obligation. Therefore, in the analysis of such motives which he regards as the subjective grounds of the determination of the will, Kant begins with and lays special stress upon what we term the "intrinsic distinction" between morality and legality. With regard to ethical evaluation, the legality or morality of conduct is determined by the nature of its motive. The sharp distinction between morality and legality is primarily based on the rigid demarcation between reason and experience, form and matter, as well as between the intelligible and the sensible worlds.

Like Spinoza, Kant is greatly impressed with the double nature of man—the sensuous and the rational—and regards its rational aspect as the more fundamental. The constant penetration of the moral nature of the intelligible world into the sensible world under the form of the moral law, as maintained by him, bridges the gulf between them. Thus, throughout his scholarly career, as guide of his age Kant remained a consistent advocate of Morality as over against Legality in social conduct, and preached the supremacy of the moral over the legal motives. As a result his ethical rigourism became a secularization of the ethics of Christianity, attempting to rationalize the morals of the Good Samaritan with its basis in the doctrine of disinterested sacrifice and universal fraternity.

The presence of physical and moral, or sensuous and rational, nature in man leads to the distinction between the sensible and the intelligible groups of motives, upon which he depends as springs of action by adopting them into his maxims of conduct. The former are motives of inclination, such as pleasure, self-interest, etc., springing from the sensuous contents of experience. The latter are

due to the consciousness of duty and voluntary respect for the moral law, that is, for the fundamental law of the pure practical reason.[1] If man subordinates sensible impulses to the moral law, he is good; if vice versa, he is bad. It is by virtue of the regulative use of the pure practical reason that he can be and become good. In one step further, to solve the problem as to whether morally or legally an action is good, Kant makes its goodness a derivative of the functionality of duty.

Such being the case, while Plato's and Aristotle's attention centred about the good, Kant built his moral and legal theories about a special aspect of the moral experience, and that is the notion of duty. It limits the independence of the individual—nay, it makes the whole humanity interdependent by declaring its imperative, "Act as if the maxim of thy action were to become by thy will a universal law of nature."[2] As prescribed by a possible universal legislation which is the pure practical reason, "duty" is in effect the practical, unconditional necessity to make an action from pure respect for the practical law, to the exclusion of every other determining principle. That pure, disinterested respect for the law, if that law be the moral law, is the measure of morality. It is simultaneously respect for the proper dignity of humanity. The moral law is therefore necessarily "a law of *duty*, of moral constraint, and of the determination of its actions by *respect* for this law and reverence for its duty".[3]

The only and undoubtable moral motive—that is, the motive to obey the moral law—is "respect for the moral law". This Kant defines as "the consciousness of a *free* submission of the will to the law, yet combined with an inevitable constraint put upon all inclinations, though only by our own reason".[4] Action from duty, namely, from respect for the law, is *moral*; according to duty, *legal*.[5] For the latter is possible even if the will has been

[1] In this connection Kant declares that "*imitation* finds no place at all in morality, and *examples* serve only for *encouragement*" (*Kant's Theory of Ethics*, p. 25). Thus in the field of ethics he never discusses the problem of customary morality.

[2] *Kant's Theory of Ethics*, p. 39.

[3] Ibid., p. 178. Italics in text.

[4] Ibid., p. 170. Italics in text.

[5] Ibid., p. 174.

determined by sensuous inclinations and material feelings. Respect for the moral law, however, causes a sort of feeling generally known as moral sentiment which Kant admits as "moral interest" independent on the sense, and that forms the basis of moral conduct.

The notion of duty is sanctioned by reason, and by means of reason man conquers those natural impulses as contain hindrances to the fulfilment of duty. It is the pure practical reason that always strives to exclude all the spontaneous inclinations to them. The moral disposition of a person is obedience to the moral law from duty, and not from such inclinations. The degree of morality accredited to his act ranges in inverse proportion as the act is influenced by them. The more moral the act is, the less is it influenced by inclination. The coincidence between duty and inclination increases with the spiritual growth of the person, that is, with the growing applicability of the fundamental law of the pure practical reason to all his actions whatsoever. This can be effected largely through education.

The morality and the legality of an act can be differentiated not only in regard to its motive, but also in regard to the standard or principle with which it is carried out in agreement. The practical principles determining the will have several practical rules of human action, which are "subjective, or *Maxims*, when the condition is regarded by the subject as valid for his own will, but are objective, or practical *laws*, when the condition is recognized as objective, that is, valid for the will of every rational being".[1] The laws of freedom, which are universally valid, Kant calls *moral laws*, and these moral laws are *juridical* in so far as they refer only to external actions and their lawfulness, and are *ethical* if they also demand that, as laws, they shall themselves be the determining inner ground of all actions. Accordingly, if it is the duty imposed upon man by reason to conform his actions to such moral laws altogether, that duty may be either legal or moral owing to its mode of obligation. The conformity of an action to juridical laws constitutes its *legality* whereas the agreement of an action to ethical laws is its *morality*. "The freedom to which the former laws relate can only be freedom in its external exercise; but the

[1] Op. cit., p. 105. Italics in text.

freedom to which the latter refer is freedom both in the internal and external exercise of the elective will in so far, namely, as this elective will is determined by laws of reason." [1] Thus, Kant apparently draws what we term the "intrinsic" and the "extrinsic" distinctions between morality and legality. Intrinsically morality and legality are incompatible with each other; extrinsically morality covers more than legality does. Upon the basis of this analysis Kant establishes *Tugendlehre* and *Rechtslehre* as the two co-ordinate branches of his *Sittenlehre* by which he understands practical philosophy as a whole.

Kant's *Sittenlehre* is "deontology" itself—the doctrine of duties.[2] *Tugendlehre* or the science of virtue treats of the duties of internal freedom, the rules of self-constraint, and dictates of conscience. *Rechtslehre* or the science of right treats of the duties of external freedom, the rules of outer constraint, and the precepts of the legislature. The science of virtue is therefore concerned with the metaphysical principles of ethics; the science of right, with those of jurisprudence. The supreme principle of ethics reads, "Act on a maxim, the *ends* of which are such as it might be a universal law for everyone to have" [3]; that of jurisprudence, "Act externally in such a manner that the free exercise of thy will may be able to co-exist with the freedom of all others, according to a universal law." [4]

In this manner from the sharp contrast between morality and legality Kant develops in distinct parallel his theory of education and theory of government alongside his science of virtue and science of right. If moral disposition is to be cultivated through the process of education, legal action must be impelled through the function of government. As long as morality and legality continue incompatible, moralism and legalism, while running in parallel, resort to their respective footholds which do not overlap each other. Consequently, in Kant's practical philosophy, moralism is evidently affiliated with education, legalism with government. True, he lays extraordinary stress upon the consideration of the problems of education and government,

[1] Op. cit., p. 388.
[2] Ibid., p. 388.
[3] Ibid., p. 406. Italics in text.
[4] *Kant's Philosophy of Law*, Hastie's tr., p. 43.

which must be in his eyes the two most fundamental normative factors of human conduct [1]

Moralism and Education.—For Kant, moralism as one of the two most important means of social control is realized neither by religion nor by government but by education. Religion is in theory "theological ethics" and "moral education" in practice. The postulate of freedom, which is the source and criterion of the moral law, necessarily leads to those of the immortality of the soul and the existence of God. Since the moral law obtains only in the intelligible world, to see the postulate of freedom fulfilled, it presupposes a super-sensuous world and a super-sensuous power. And faith in that power is often needed to support man's moral motives by imposing upon him moral laws as divine commands and also enabling him with redeeming love to obey it. Kant therefore considers religion as "a part of morality"—"morality applied to the knowledge of God." [2] It is "the knowledge of all our duties as divine commands". [3] It is through the process of education that that kind of moral disposition is cultivated and that species of knowledge acquired. Religion therefore can realize only part of moralism.

Likewise, government cannot realize moralism any more than politics can meddle with morals. For its legislative function always involves the threat of punishment as principle of motivation. While ethical legislation applies to anything that is duty, juridical legislation refers to external duties only and enforces the performance of them by external compulsion. All ethical achievements, if done out of the motive of duty and for duty's sake, must needs be independent upon any juridical procedure. With such a principle of discrimination in view, Kant would not permit any political legislator to realize in his constitution ethical purposes by force, to produce virtuous intuition by legal compulsion.

[1] As Kant himself remarks, "two human inventions can be regarded as the most difficult—namely, the art of government and that of education, and yet we are still contending among ourselves as to their fundamental nature" ("Lecture-notes on Pedagogy," Buchner's tr., sec 12, p. 114).

[2] Op. cit., sec. 105.

[3] Quoted by Buchner in his translation of *Kant's Theory of Education*, p. 214, f. 1.

The backing authority of moralism is neither the civil nor the criminal court but the individual's conscience, and its ultimate goal is the attainment of the *summum bonum*. Conscience is the omnipresent sanction of human conduct, the court of justice within the breast. It is "practical reason which, in every case of law, holds before a man his duty for acquittal or condemnation".[1] It is therefore not to be acquired; but is originally within man. It is from the conflict between the moral law and the sensuous inclinations that Kant derives conscience as "the consciousness of an internal *tribunal* in man".[2] Since the faculty of the moral law is its critical and regulative use, conscience regulates human actions through such a categorical imperative as the supreme law of duty. The moral law as a universal law given by pure reason commands every rational being to make the *summum bonum* the ultimate object of human conduct,[3] which is the highest good, supreme and perfect. The whole object of the pure practical reason is the *summum bonum*,[4] and for its two constituent elements Kant elaborates virtue as its supreme condition, and happiness as effect, not cause, of it.[5] Virtue is not a matter of habit or imitation; it is "the strength of the man's maxim in his obedience to duty".[6] While the spontaneous impulse is the maxim of self-love, the pure practical reason always strives to extend the maxim of my self-love to the happiness of others by prescribing the moral law that commands me to love all my fellow-men as an end and never as a means. This is the central gist and the dominant characteristic trait of Kant's altruistic ethics.

If the *summum bonum* is the whole object of the pure practical reason, life in its moral relations is a continuous strife after the attainment to it, which is effected through the process of education. In the light of the antithesis

[1] *Kant's Theory of Ethics*, p. 311.
[2] Ibid., p. 321. Italics in text.
[3] Ibid., p. 227.
[4] Ibid., p. 215.
[5] The former necessarily leads to the postulate of the immortality of the soul, the latter to that of the existence of God (ibid., pp. 218 ff.). The doctrine of Christianity, according to Kant, gives "a conception of the *summum bonum* [the kingdom of God], which alone satisfies the strictest demand of practical reason" (ibid., p. 224; Italic in text).
[6] Ibid., p. 225.

between animal and human nature, between instinct and reason, between mechanism and freedom, Kant advances a fundamental principle—educational as well as ethical—that everybody should cultivate his natural character into a moral one by realizing his inner freedom step by step, that is, through the growing applicability of the fundamental law of the pure practical reason. As Buchner says, to the problem of education Kant expressly applies the idea of development as the law of nature.[1]

Profoundly influenced by Rousseau, Kant interprets education in terms of the perfection of human nature or the development of man's natural gifts. As a consequence his educational theory finds its sole basis in his doctrine of freedom. Besides individual freedom, he emphasizes morality as the keystone of human education. Among the four types of educational activity—namely, discipline (the taming of wildness), culture (including instruction and teaching), civilization (acquirement of prudence and society), and moralization—Kant lays an especial stress on the last one which, according to him, has been greatly neglected.[2] Moral education is in the long run nothing but character-building in accord with the maxims of obedience, veracity, and sociability.[3] Because moral culture, as Kant says, "must be based upon maxims, not upon discipline. Discipline prevents defects; moral culture shapes the manner of thinking".[4] Character-formation is then the cultivation of "a practically consistent habit of mind with unchangeable maxims".[5] As to its procedure, suffice it to quote from Kant's "Lecture-Notes on Pedagogy" (sec. 78) the following passage:—

> The maxims must spring from man himself. In moral education, the attempt to introduce into the child's mind the idea of what is good or evil must be made very early. If one wishes to establish morality, there must be no punishment. Morality is something so holy and sublime that it must not be degraded thus and placed on the same rank with discipline. The first endeavour in moral education is to establish a character. Character consists in the readiness to act according to maxims. At first these are the maxims of the school and later they are

[1] *Kant's Educational Theory*, p. 62.
[2] "Lecture-Notes on Pedagogy," op. cit., secs. 18–19.
[3] Cf. ibid., secs. 80–8.
[4] Ibid., sec. 77.
[5] v. *Kant's Theory of Ethics*, p. 150.

these of humanity. In the beginning the child obeys laws. Maxims also are laws, but subjective, they spring out of the human reason itself. No transgression of the law of the school should go unpunished; but, at the same time, the punishment must always be commensurate to the fault.

Legalism and Government.—While his moralism goes as rigouristic as the religious creed of Christianity, the legalism he expounds appears even more rigid than the Roman practice in ancient days. To affirm his fundamental dualism between legality and morality, between the outer authority and the inner good will, Kant strives to exclude any ethical element from law, repudiating all ethical purposes involved in any political constitution on the one hand,[3] and refuting the idea of a court of equity on the other. Legal right and authority of compulsion are, according to him, so essentially inter-connected that equitable right and right of necessity must needs be excluded from within the boundaries of law. The former alleges a right that cannot appeal to compulsion while the latter adopts a compulsion that is without right.[4] Kant entitled with an equitable or moral claim the creditor as a matter of course in case the currency in which it is covenanted between the creditor and the debtor that a debt should be paid, has become depreciated in the interval between the covenant and the payment. In such a case the creditor may make an appeal on the ground of equity—"a dumb goddess" who cannot claim a hearing of right.[5] The court of equity is illogical, and therefore impossible, and therefore unnecessary. Because any law court enforces its decisions with compulsory force, whereas equity cannot resort to any external force It is not a civil court, Kant says, but a "court of conscience" before which the creditor's grievance can be brought for justice.

Legalism is the way external freedom is to be realized. The postulate of freedom being the undercurrent of his *Sittenlehre*, in his *Rechtslehre* Kant deductively starts from his conception of freedom as the original or innate right and every acquired right as therefrom derived. Freedom is independence of the compulsory will of another; and in so far as it can co-exist with the freedom of all

[3] *Supra*, pp. 77–78.
[4] *Kant's Philosophy of Law*, pp. 80 ff. [5] Ibid., p. 81.

according to a universal law, it is the one sole original, inborn right belonging to every man in virtue of his humanity. To realize this external freedom, juridical legislation on the rational basis brings about positive law, in accordance with which its promise is lived up to. Accordingly, Kant defines positive law—or precisely law—as "the whole of the conditions under which the voluntary actions of any one person can be harmonized in reality with the voluntary actions of every other person according to a universal law of freedom".[1] The object of law then is to keep rational beings from conflict with one another in order that each might exercise his freedom in consistence and harmony with the freedom of his equally respectable fellow-men. As realized in our social conduct freedom thus necessarily implies equality. On this ground Kant proceeds to harmonize the abstract universality of the postulate of freedom with the concrete particularity of right, and to reconcile the free individuality of the citizen with the regulated organism of the state.[2]

The science of right eventually falls under two essential parts: (1) private right which Kant considers as a natural right, including the system of those laws that require no external promulgation; and (2) public right or civil right embracing the system of those which require public promulgation. All sorts of right—which apply, as general qualities, to acts, in so far as they are in accordance with duties, whatever the subjects or origins of the duties may be—are nothing but the diverse manifestations of human personality. In the natural state possession is possible, but provisory; only in the civil state under the regulation of a public legislative power ownership is possible and peremptory. The guarantee of reciprocal and mutual abstentions, which is the basis of all sorts of security, depends upon a universal rule, a common compulsory law, binding everybody, and this universally authoritative bond finds its source in a common, collective, and authoritative will. The state of men under a universal, external, and public legislation, conjoined with authoritative power, Kant calls the "civil state". In another word, government differentiates the civil from the natural state.

[1] *Kant's Philosophy of Law*, p. 43.
[2] Cf. *ibid.*, Translator's Preface, p. xxv.

As a social contract theorist Kant comes closer to Locke than to anybody else. Right here as anywhere else rationalism distinguishes the former from the latter. The natural state for Kant and Locke both alike is such a condition as void of regulation by right so that a matter of right in dispute cannot obtain any authorized legal decision from any competent judge. Private right is not guaranteed therein. Hence, Kant contends that the advance from the natural to the civil state is founded on a duty and necessity. The civil state includes both private and public right since its laws turn upon the juridical form of the co-existence of men under a common constitution, and are therefore proclaimed as public laws. "Public justice" refers to whatever is juridically in accordance with them. The civil state maintains the conditions under which alone everyone can obtain the right that is his due. The duty and necessity to realize justice is the motive out of which men enter into the politically organized state. It is the whole object of "the postulate of public right".[1] Evidently Kant interprets the civil state as due to the fundamental law of reason, which challenges Rousseau's conception of morality as a social product. In doing this, he fairly overcomes Rousseau's historical pessimism and dream of the ideal freedom and perfection in the pre-social condition, and therefrom argues that in the civil state alone freedom is actual and can be actualized.[2]

The act by which a group of people constitute themselves into a state is termed "the original contract". It, however, does not imply, as Hobbes maintains, that the individual in the civil state surrenders his entire freedom in order to gain security. On the contrary Kant argues that the individual therein abandons his will and lawless freedom

[1] Op. cit., p. 157. The postulate of public right Kant describes as follows: In the relation of unavoidable co-existence with others, thou shalt pass from the state of nature into a juridical union constituted under the conditions of a distributive justice. By "distributive justice" Kant means that class of public justice which declares what is right and what is wrong.

[2] *Kant's Principles of Politics*, Translator's Introduction, pp. xxx-xxxi. "It was in the light of Rousseau's despair," says Harms, "that Kant's hope of a better humanity was kindled, and that he became reconciled to the pain and suffering of the historic process. He clearly saw that the highest human conditions can only be attained through the struggle for life, and that the worst historical state is better than soft idyllic ease and enjoyment where there is no assertion of right."

only to recover his proper freedom—entire and unfinished—in the form of a regulated order of dependence, and that such dependence springs out of his own legislative will, and is therefore one with freedom.[1] For Kant social contract is not an historical event, but a pure idea used as a guiding rational principle in the evaluation of human relations. It presupposes the substantiality of the universally united will of the people which is the source of all positive law. The people are therefore the sovereign and law-maker.

The general will of the people—the citizens in particular—is personified in the political institution as embodied in its three powers—legislative, executive, and judiciary—which are equally essential to the foundation of the constitution. Kant's ideal form of government is republican but representative. To qualify this bold opinion, the Sage of Königsberg, while teaching in a royal university of the Kingdom of Prussia, holds that the function of representative government may be vested in king or nobility or elected deputies because the sovereign, being an abstract concept, can have its objective, functional reality manifested in one or a few or many persons.

Kant's theory of government can be viewed as an attempted and rationalized blend of Hobbes and Locke, of Montesquieu and Rousseau.[2] Though the general will is the source of law, the social contract is sacred and irreversible according to him. Any violence of the law of the existing legislative power is a crime; any resistance on the part of the subject to the supreme power of the state is illegitimate. The condition of law and order is rendered possible only by submission to the universal legislative will. Accordingly, Kant repudiates the execution of an individual monarch—who embodies the supreme power—under the pretext of his abuse of power. In one step further taken between monarchist and anti-monarchist, he argues against popular revolution that any defect in the constitution must be removed with changes by the sovereign itself through reform, not by the people through revolution. The whole theory clearly manifests the conservatism of Prussia during Kant's days, and also his own cherished

[1] *Kant's Philosophy of Law*, pp. 199 ff.
[2] Cf. Dunning, *Political Theories, from Rousseau to Spencer*, p. 188.

antipathy toward turbulence and disorder as consequent upon the French Revolution.

Kant's defence of legalism through government thus takes rather a negative form in his argument against popular revolution. It goes to its extreme in his treatment of criminal offence and punishment. While the three prevailing theories of penal justice may be reconciled according to Edward Caird,[1] Kant rejects the educational and the preventive but advocates the retributive in their stead. He abstracts rigour in his rejection of the former two theories and in so doing disregards all appreciation of moral purposes in the legal procedure of criminal punishment. Therefore he maintains that penalty must be imposed solely because of the transgression the criminal has committed. "The penal law," affirms Kant, "is a categorical imperative; and woe to him who creeps through the serpent-windings of utilitarianism to discover some advantage that may discharge him from the justice of punishment, or even from the due measure of it, according to the Pharisaic maxim: 'It is better that *one* man should die than that the whole world should perish.'" For if justice and righteousness perish, human life would no longer have any value in the world.[2] Justice would eventually cease to be justice "if it were bartered away for any consideration whatever". It is the principle of equality that constitutes the mode and measure of juridical punishment, and the same principle presupposes the right of retaliation, which is based on the principle of "like with like".[3] The murderer must needs die. The state should not exempt him gratuitously, because there exists no equality between the crime of murder and the retaliation of it. "Even if a civil society resolved to dissolve itself with the consent of all its members—as might be supposed in the case of a people inhabiting an island resolving to separate and scatter themselves throughout the whole world—the last murderer lying in the prison ought to be executed before the resolution was carried out. This ought to be done in order that every

[1] *The Critical Philosophy of Immanuel Kant*, vol. ii, p. 877.
[2] *Kant's Philosophy of Law*, pp. 195–8. Italics in text.
[3] Ibid., p. 198. "If you slander another, you slander yourself; if you steal from another, you steal from yourself; if you strike another, you strike yourself; if you kill another, you kill yourself."

one may realize the desert of his deeds, and that blood-guiltiness may not remain upon the people; for otherwise they might all be regarded as participators in the murder as a public violation of justice."[1] Exemption from penalty being thus regarded as unjust, the right of pardoning on the part of the sovereign ought not to be applicable to the crimes of the subjects against each other, but only on the occasion of some form of treason as directed against himself, and this right may be called "a Right of Majesty" according to Kant.[2]

If legalism is the fulfilment of one rational aspect of humanity at all, it must be universally worked out through both national and international government. In the division of the science of right, which treats of the principles of constitutional, international, and cosmopolitan law, Kant closes it with his suggestion for the establishment of a cosmopolitan society on earth in the hope that perpetual peace may be maintained by a common constitution binding all nations It is a duty of these nations, as analogized to individual men, to advance from the natural to the legal state[3] Such a union of nations aiming to maintain peace Kant calls "a permanent congress of nations".[4] It is only by such a congress that the public right of nations can be realized, and that the mode of a civil process can replace the barbarous means of war in settling international disputes and differences. Such a sort of right Kant calls "cosmopolitan right" that relates to a possible union of all nations in respect of certain laws universally regulating their relations[5] His *Perpetual Peace* (1795) is, in fact, as remarked by C. D. Burns, "practically the first scheme which implies this modern condition of sovereign States and its leading idea is that of a League of States"[6] It was in part anticipated by Grotius's expectation of the establishment of certain international congresses for settling international disputes and controversies within

[1] Op. cit., p. 198
[2] Ibid., p. 205
[3] Ibid., p. 224
[4] Ibid. In this connection Kant mentions for example the Assemblage of the States-General at the Hague, which originated in the first half of the eighteenth century (ibid., p. 228)
[5] Ibid., p. 232.
[6] *Political Ideals*, p. 211.

the Christendom.[1] For the concluding remark, Kant re-emphasizes his teachings that the permanent and universal establishment of peace is the whole aim of the science of right as viewed within the limits of the morally practical reason, and that the existing defective constitution, if any, must be alternated not through sudden revolution, but through gradual reform leading to the highest political good, and to perpetual peace.[2] This is a logical outcome of his legalism developed in parallel to his moralism that culminates in the doctrine of the *summum bonum*.

[1] Greiman, *op. cit.*, Editor's Preface, pp. xiv–xv
[2] *Kant's Philosophy of Law*, pp. 228–31.

CHAPTER IV

THOUGHT IN THE LIGHT OF KNOWLEDGE

Post-Kantian Approaches to the Analysis of the Motivating Factors of Conduct

That so many permanent channels of thought would be precipitated by the sudden social changes and rapid intellectual achievements in the nineteenth century, Kant might not have anticipated, much less could he have expected the uniqueness of each one of them. From Fichte to Spencer, practically all creative, systematic thinkers are agreed in the preference for the method of synthetic unification, the conception of reality as a dynamic process of development, and the organic and historic views of things and ideas, wherefore on analyzing the motivating factor of human conduct they come to interpret its morality and legality in terms of some common underlying ground. Nevertheless, each stands unique by himself. He is more than competent to challenge his predecessors as well as his contemporaries.

If the individual is essentially a product of his community and may by chance become a guide of it, the system of thought he ever formulates must be a manifestation of the gift of his age as well as of the legacy of the past. Post-Kantian thought does vividly reflect in the first place the aftermaths of the political revolution in France as seen in the revival of nationalism in Continental Europe after the Napoleonic conquests and the rise of German imperialism, next the effects of the industrial revolution in England, and finally new developments in science, such as the progress of empirical sciences, the completion of sociology as a separate science, and the elaboration of the principle of evolution. All its outstanding systems as dealt with in this treatise are but reactions upon the various phases of practically the same environment as such. To solve problems common to all, each individual, however, starts from an approach peculiar to him, which is nothing but the crystallization of his personal career, intellectual background, and definite frame of mind. His uniqueness is therefore fundamentally indebted to the uniqueness of his approach.

As a guide of his age, the individual thinker may glorify its past, or justify its present, or prophesy its future. Moreover, to the same situation different persons may advocate different ways of self-adjustment, such as subjugation through revolution, harmonization through reform, submission without objection, and repudiation with sufficient ground. Such modes of reaction

apply equally well to theories and ideas beside things and institutions. Thus, through reform, modification, and further development, many a post-Kantian thinker was disposed to reconcile the antitheses Kant had pointed out, and to bridge the gaps he had left unpaved. For this purpose Fichte, Hegel, and Marx appealed to the so-called dialectic method, which was in fact a direct reaction to Kant's doctrine of antinomies; Comte held to positivism while repudiating all ultra-eccentric searches for knowledge; Bentham and J. S. Mill used the empirical and inductive method and elaborated utilitarianism in solving social and ethical problems but refused to be involved in metaphysics; and Spencer propounded his doctrine of cosmic evolution in spite of his isolation of the knowable from the unknowable after the manner of Kant.

With seven *Post-Kantian Approaches to the Analysis of the Motivating Factors of Conduct* descriptively interpreted and enumerated for comparative purposes, we expect to trace how the intellectual background of the individual has effects on his endeavour to solve any practical problem, as well as on his mental attitude towards things and ideas. The main issues at stake will concern also the formation and development of his intellectual background in connection with his social environment and personal career, and particularly the actual result reached by him in solving the practical problem. It is our ultimate objective to demonstrate that *he thinks in the light of what he knows*. Since the stuffs of his knowledge are essentially social gifts from without and since he has his own freedom to select and organize them in the way he wants, the material used and the procedure taken in the solution of the problem, might be involved, too. By applying ourselves rather closely to the study of Fichte, Hegel, Marx, Comte, Bentham, J. S. Mill, and Spencer, a comparatively intensive survey is attempted of seven different approaches to one problem, which are still fresh in the mind of any student of present-day Western philosophy. For emphasis we shall treat of Bentham, Mill, and Spencer, three leading utilitarians, as a group, and, to spare repetitions and avoid details, subordinate the last two to the first one.

A. THE ETHICAL APPROACH—FICHTE

Fichte's Ethical Conception of the Ego.—The first pioneer in the refutation of Kantian dualism was Kant's immediate and greatest disciple J. G. Fichte (1762–1814), who, starting from an ethical approach, interpreted existence in terms of a dynamic process of development guided by a cosmic moral purpose. The work of the early Protestant Reformers as directing free inner conviction against ecclesiastical authority, Kant and Fichte carried on by

deducing everything from the innermost depths of the self. One step further from the master, Fichte went on to disintegrate Kant's conception of the "things-in-themselves" and dispose of the antithesis between being and consciousness, between the intelligible and the sensible worlds, and between the moral and the legal actions, on the common basis of the activities of the Ego. To Kant's "pure practical reason" he persistently appealed with the evident result that the whole course of his philosophic teachings was eventually built upon an ethical motif.

The conception of freedom that the Ego is free, self-determining, self-conscious activity which alone is real, and from which everything else derives its existence, is the starting premise of Fichte's philosophy. Functioning as the pure activity of universal reason or intelligence, the absolute, infinite Ego (*Ich-Heit*) is logically prior to the personal, finite Ego (*Ich*), and as a universal working spiritual principle of reality it is itself manifested in individual finite Egos. It is present in the finite Ego as a pure impulse—or the consciousness of duty—to moral strife after the realization of the ideal of freedom. To demonstrate the genetic function of this principle, Fichte deduces three immediate categories of consciousness, namely, the Ego, the Non-Ego, and their mutual limitation, as the basal moments of his dialectic method. Since no self-consciousness is possible unless it meet some checking object, in ordinary consciousness the Ego and something other than the Ego are present. The Ego is then limited by the Non-Ego. The limited Ego is finite, and that limitation does refer to the pure, unlimited, infinite Ego which unites both the finite Ego and the Non-Ego. This infinite Ego is the ultimate ground of the limitation, giving rise to the finite Ego and its limits. Thus, the three fundamental principles of a spiritual activity of the pure Ego read as follows: the Ego posits itself; it posits a Non-Ego; and it posits a limited Ego in opposition to a limited Non-Ego.[1]

If the Ego (*Ich-Heit*) is metaphysically the ultimate formative factor, it must be the adaptive factor ethically, adapting the finite Ego to the Non-Ego by means of adapting

[1] v. Höffding, *A History of Modern Philosophy*, vol. II. pp. 184–5, 188. According to Höffding, Fichte's method is therefore more antithetical than dialectic as differentiated from Hegel's

the latter to its ethical purposes—as a means to its moral end. Since self-imposed limitations condition morality, the action of the Ego in imposing upon itself such limitations is moral struggle in which it seeks to transcend or pass beyond every obstacle to a goal, whereby, though infinitely far away, it strives to realize complete freedom. The external world, as an object or Non-Ego, whether phenomenal or noumenal, is then nothing but a needful postulate posited by the Ego as a medium to serve its ethical purposes. It is the objectified expression of the Ego through its will—the will to freedom. Moral strife towards the infinitely distant and approximately attainable ideal of perfect freedom is the destiny of man which everybody must fulfil. In this man's salvation consists. As the finite Ego gradually merges into the absolute Ego in the progress of moral strife, that is, in the development of universal reason, the true nature of reality reveals itself as a free community of finite Egos, each, with its existence in an objective total unity of moral relationships, setting up its "Non-Egos" as obstacles which it must overcome in order to rise to ever higher levels. Morality presupposes sociality; the moral life is always a community life; and the ideal world-order striven after is God yearned after.[1]

The motivating factor of all moral conduct is the good will.[2] And that is the universal reason manifested in the ultimate motive power of the finite Ego. As to the basic motives of human action, Fichte attempts to reconcile duty and inclination. Just as he merges the sensible and the intelligible worlds into the same objective world posited by the will of the Ego, so does he represent the sensuous and the moral worlds as two stages forming a linking chain in the dialectic development of the Ego, and reduce the conflict between the sensuous and the rational nature of man to the opposition between impulses of like nature, that is, of the will to freedom. Necessity is test of freedom;

[1] Vitalized through the process of dialectic development, Fichte's "God" is but Spinoza's "Substance" dramatized (cf. Stahl, *Geschichte der Rechtsphilosophie*, p. 287). Having seemingly identified God with the moral world-order in his treatise *Über den Grund unseres Glaubens an eine göttliche Weltregierung* (1798) which provoked the charge of atheism on the part of the Government of Weimar, Fichte, while teaching at Jena (1794–9), was finally compelled to leave for Berlin.

[2] v. Fichte, *The Science of Rights*, Kroeger's tr., p. 188.

inclination, test of duty. The former is a matter of spontaneity, habit, or imitation; the latter must needs involve the conscious element. Spontaneous actions are due to natural inclinations and prevail within the rigid boundaries of causal law. Moral conduct is due to a respect for the moral law. It is duty carried out for duty's sake. It is possible only when the self rises above inclination and passes into a new realm—the realm of freedom. The transition from the realm of necessity to that of freedom is duty and operates in accordance with the dialectic movement of the Ego. The only moral motive is then man's own conviction of duty to overcome obstacles in active struggle, and its result is not outward utility but inward self-satisfaction. The external world is the material for our duty, which makes a visible form we strive to give to morality. In exorcising such moral activities we become segments of the whole moral world order which for Fichte coincides with God. Duty thus points to the contemplation of God; moral strife, to love of humanity.

Only that action which springs from or is approved by conscience is moral; action in accordance with outer authority may be legal but unconscientious. Conscience commands duty for duty's sake. It is God's voice revealed to the finite Ego; the divine spark in human nature. Harmony between natural impulses and desires for freedom, which rests upon the progress of the individual's moral character, causes a feeling of self-esteem; discord, a feeling of self-contempt. Conscience functions in moral judgment as the mental capacity to inculcate such moral sentiments. In order to enable the individual to freely conform his actions to the dictates of conscience, education is necessary. Thus, like Kant, Fichte advocates moralism through education.

Fichte's Stress on the Ethical Function of Social Institutions.—The principles of his theoretical philosophy as set forth in his *Science of Knowledge* (*Wissenschaftslehre*, 1794) were eventually applied to the problems of law, morals, religion, and government; wherein the self-consciousness of the individual held sway as the supreme principle as ever before. It is no accident that the primary purpose of all such social organizations like the state, the church, and so on, Fichte considered as ethical. Though persistently as the highest regulative factor that motivates

social conduct, his conception of the government reveals a remarkably shifting emphasis as to its rôle in the course of time. In the seventy nineties, as a social contract theorist[1] Fichte justified the French Revolution and pleaded for personal freedom and human dignity which the state must aim to further and maintain; which altogether reflects the influence of Rousseau and Kant. In his *Closed Commercial State* (*Der geschlossene Handelsstaat*) published in 1800, Fichte emphasised the economic rôle of the government while arguing that since modern nationalism superseded mediæval cosmopolitanism guaranteed in Christian Europe by the Church, the government of each modern state ought to maintain an economic solidarity and exclusiveness among its citizens, and that as the being of the Ego is striving, the vocation of each citizen is to fulfil his duty, that is, to work. In consequence, he proposed his ideal of the socialistic state as the *geschlossene Handelsstaat* in which the whole nation is completely industrial and industrious.

Sharing with the Prussians the disasters of Napoleon's conquest (1806–7), Fichte began to inquire into the account for such an astounding catastrophe, which he found in the lack of a sound national consciousness in the conquered. Dreaming the realization of the depicted pictorial ideal of a united Germany, he henceforth began to preach the gospel of pan-Germanic nationalism with eloquent appeals in his *Addresses to the German Nation* (1808) and *Lectures on the Theory of the State* (*Vorlesungen über die Staatslehre*, 1813). Now, he emphasized the educational rôle of the government—to train every member of the state into full moral citizenship and intellectual culture for the good of all.[2] For removing defects in

[1] Fichte as a "peculiarly qualified" social contract theorist. He does not assume "natural law" or any sort of law antecedent to the civil state on the ground that since the state is itself man's natural condition, there is no pre-social state, and that accordingly there can be rights only under positive law, which they acquire only in a community composed of them.

[2] For a united Germany he contended that the eternal, absolute will is embodied in the German nation, the whole culture of the German people, and not in their divided and trampled governments. Thus, from the "Rechtsstaat" through the "geschlossener Handelsstaat" his conception of the state advanced to the "Kulturstaat"—the state accepting the mission of culture. In this he anticipated Hegel.

politics, he now advocated instead of revolution the method of reform—reform through reason—that scholars should be granted enough freedom to accumulate knowledge and propagate their views in circles able to adopt them.[1]

Fichte's elaboration of the primary purpose of the state as ethical, however, remained thoroughly consistent. Challenging Kant's advocacy of rigid legalism through government, Fichte rather contended for the possibility and necessity of moralism through government by subordinating law as a means to morals. Thus, by means of law the state aims to preserve the moral ideal of individual freedom in the community life. As consciousness of the Ego necessarily presupposes consciousness of the Non-Ego, that relation between the self-conscious Ego and the Non-Egos which are equally self-conscious Egos, Fichte considers as a relation of law (*Recht*).[2] The legal relation as well as the concept of *Recht*[3] is itself the condition of self-consciousness *a priori* deduced from the Ego, which can be in operation only in social relationships. The fundamental principle of *Recht* therefore states: "Each one must restrict his freedom by the possibilty of the freedom of the other."[4] The mutual restraint of the freedom of its component individual members thus necessarily conditions the existence of a law-abiding community. It is the duty of the state to maintain this relation of *Recht* wherefore it may appeal to compulsory means if needed.

Moral action is then a matter of self-control; legal action outer restraint. On the common *a priori* basis of the community life Fichte treats of *Recht* as the necessary condition of morality (*Sittlichkeit*). Viewed from the

[1] In this connection Fichte demanded liberalism in government but not democracy. He propounded an institution called the "ephorate" by means of which the sovereign will could be held well against misgovernment and the constitution could be preserved thereby. Later on as soon as he himself lost confidence in the efficiency of the ephorate, he suggested in place of a body of ephoric scholars and thinkers to whom the functions of government should be entrusted.

[2] Fichte, op. cit., p. 78. "The deduced relation between rational beings—namely, that each individual must restrict his freedom through the conception of the possibility of the freedom of the other—is called the *Relation of Legality*, Legal Relation." Italics in text.

[3] For the German word Recht Dunning prefers in this case to use "social regulation" instead of "law" (*Political Theories, from Rousseau to Spencer*, p. 136).

[4] Fichte, op. cit., p. 172.

standpoint of the disciplining government, law is then a means to the moral education of the citizens; and on the part of the self-adjusting individual legal conduct forms either a step-stone or an aid to moral conduct. Such being the case, Fichte expressly endeavoured to reconcile morality and legality—both intrinsically and extrinsically—by ascribing their origin to the self-consciousness of the Ego, and their nature to the same social rationality.

B. THE LOGICAL APPROACH—HEGEL

The Dialectic Movement of the Absolute Mind.—Far more systematically and elaborately than Fichte had done, G. W. F. Hegel (1770–1831) employed the dialectic method. With his *Phänomenologie des Geistes*, published in 1807 as an introduction to his great system of spiritualism, he attempted therefrom to propound a logical exposition of all phases of the culture and history of mankind as the dialectic manifestations of the Absolute Mind. His logical approach eventually led to his conclusion that reality is a dialectically articulated system of logical concepts, and that the motive power of the dialectic movement of the Absolute Mind is the logical necessity immanent in the universal nature of existence as encountered in nature, in society, and in history as well. Yet, this conception of reality in terms of a dialectically self-evolving process Hegel derived not from the empirical world, but from the laws of pure thought.

Condemning the geometrical method adopted by Descartes and Spinoza as unsuitable for philosophical cognition, Hegel regarded the dialectic as a logical system of reasoning through which, following a schema of three stages, thought makes its way progressively towards the absolute truth until at last it comes to encompass a comprehensive unity including all partial truths. The dialectic method is therefore in his eyes not invented but discovered. It is not a process in time, but an eternal, universal logical process by which the categories deduce themselves from the first category as found in being, or the *summum genus*. In the schema of triunities thesis is followed by antithesis, and antithesis by synthesis which includes both. This triad of the dialectic develops in accordance with three logical

operations—position, negation, and sublation or reconciliation, corresponding to the three schemata. The negation of negation is the reconciliation or synthesis of the two. An idea which is synthesis of the antithetical aspects is now held to be true since truth never ignores but only unifies oppositions.

The first triad of categories of the Hegelian logic are being (genus), not-being (differentia), and becoming (species). Being (in itself) passes into not-being (for itself), and conversely, not-being passes back into being. Herein a third thought is involved—namely, the idea of the passage of these two categories into each other. This is the category of becoming (in and for itself) which reconciles the two preceding. Thus, the thing both is and is not when it becomes. All deduction better proceeding from the implicit to the explicit, the lower categories in the system contain the higher categories implicitly, the higher contain the lower explicitly. Hence, the first category being implicitly involves all the categories including the final category, namely, the Absolute Idea; which explicitly encompasses being and all the rest.

Throughout the entire course of Hegel's philosophic thought there is this triple rhythm. His system is thus divided into three main parts—logic, the philosophy of nature, and the philosophy of spirit. The logical idea (thesis), nature (antithesis), and spirit (synthesis) constitute a triad; in which logic treats of the Absolute Idea as it is in itself (*Geist an sich*), nature is the Idea in its otherness (*Geist für sich*), and spirit is the unity of the Idea and nature (*Geist an und für sich*). The philosophy of spirit is again divided into three parts in agreement with the law of the dialectic: (1) the subjective spirit, (2) the objective spirit, and (3) the absolute spirit. The first part is a matter of individual psychology, dealing with soul, consciousness, and reason; the second part treats of spiritual life as embodied in abstract right, morality,[1] and various social and historical institutions. The absolute spirit, as the higher unity of the subjective and the objective spirits, is expressed in three forms; namely, art, religion, and philosophy.

[1] "Morality" as concerned with Hegel's system is taken in both the substantive and the attributive senses.

The Absolute Mind or Spirit as thus exemplified in the universal reason, is but the chain of all logical categories, the embodiment of all modes of experience in nature and in spirit. It is the sole formative factor of all existence. It is the only reality. This Absolute Hegel cannot but identify with God just as he identifies reality with rationality. Though religion is put only as one phase of the highest stage in the process of the self-realization of the Absolute, yet the omnipotence, omnipresence, and omniscience of God, is demonstrated practically in terms of pantheism throughout the whole Hegelian system. The sentiment of loyalty to religion thus forms the underlying motive of the intellectual effort of Hegel as well as of many other thinkers in the history of mankind.

The Objective Spirit and the Function of Reason.—The analysis of the motivating factors of human conduct in Hegel's system falls under his treatment of the objective spirit, and to its specific exposition his *Philosophy of Right* (*Grundlinien der Philosophie des Rechts*, 1821) is devoted. It includes three parts, namely, abstract right, morality, and ethical observance, of which self-consciousness is the ruling principle. From the very beginning, Hegel takes the will seriously, which with freedom as its essence is the eternal, universal, self-conscious, and self-determining aspect of the Absolute Mind. The triad of the objective spirit thus reveals the various steps of the dialectic process in which this absolute idea of free will is realized.

Freedom, however, is not mere caprice or motiveless action, but self-determination—the power of preferential choice. The will is the unity of two elements—(1) pure indeterminateness, and (2) the finitude or specialization of the Ego. In the former it is the direct or natural will whose content, however, is apt to be filled with impulses, appetites, and inclinations.[1] Man unlike animals "is the completely undetermined, and stands above impulse, and may fix and set it up as his. Impulse is in nature, but it depends on my will whether I establish it in the I."[2] The will actualizes itself by virtue of its power of resolution. "By resolution," says Hegel, "will fixes itself as the will of a definite individual, and as thereby distinguishing itself from

[1] Hegel's *Philosophy of Right*, Dyde's tr., secs. 7, 11.
[2] Ibid., sec. 11, *Addition*.

another." [1] The determining factor of the will to rise above or choose between spontaneous factors as such, is the reflective activity of consciousness—or plainly reason—which is the ultimate adaptive factor motivating conduct. As Hegel remarks: "The reflection which is brought to bear upon impulses, placing them before itself, estimating them, comparing them with one another, and contrasting them with their means and consequences, and also with a whole of satisfaction, namely happiness, brings the formal universal to this material, and in an external way purifies it of its crudity and barbarism." [2]

The fundamental idea of right is freedom. A right is a reality which is the realization of the free will The system of right including property, contract, and wrong, is but the kingdom of actualized freedom.

Abstract right, however, is followed by morality In abstract right the will passes out of itself into externality; in morality it returns into its own subjectivity The former, as centred in an outward thing, is purely objective, regardless of the motives and aims of the subject; the latter is purely subjective and never gets itself actualized in the form of social institutions. In another word, the will in the stage of morality turns back into itself as a subjective individuality contrasted with the universal. And predicative of this moral will are self-consciousness and self-determinatum The will is therefore responsible for an accomplished act only in so far as the results were known or within my consciousness—namely, only for what is in my purpose The accomplishment of my purpose contains the identity of my will and that of others [3] My subjective ends, when accomplished, are objectified, and in the objectification of them I pass beyond the simple and elementary subjectivity—which is merely my own—into a new subjectivity, which is identical with me and is also the will of others. This new subjectivity is universal subjectivity.

To the will of others both moral and legal actions must needs bear relation. As Hegel says, from the strict standpoint of legal right an act has "only a negative reference to the will of others *since that reference is in right merely the negative proposal to keep my property or the worth of it,*

[1] Op. cit., sec 13 [2] Ibid., sec. 20. [3] Ibid., sec. 115.

and to let others keep theirs. In morals, on the contrary, the relation of my will to that of others is positive; that, which the subjective will realizes, contains the universal will . . . . In right my will is realized in property, and there is no room for any reference of the will of others to my will. But morality treats of the well-being of others also. At this point this positive relation to others first makes its appearance." [1] The legal and the moral actions are therefore different; but the former, according to Hegel, contains only some elements of the latter.[2] *Morality covers more than legality, and includes it.*

The goodness of an act, either legal or moral, depends upon its intentions and motives. A moral act always involves three factors which make another logical triad: an act, to be moral, must (1) accord with my purpose, (2) have its value relative to me, and (3) have its universal value to others (that is, the good).[3] "The motive of a deed contains the moral element, which has the twofold *positive* signification of the universal *will* in purpose and of the particular *will* in intention." [4] The unity of the conception of the general will with the particular will is the good, which, as the essence of the will of the particular subject, is his obligation; in its abstract universal character it is duty. As duty, it prescribes. "To do right, and to consider one's own well-being, and the general well-being, the well-being of others." [5] Both right (*Recht*) and morality (*Moralität*) are equally rooted in absolute conformity to duty; but in a moral act duty must be positively done for duty's sake.

The tribunal of competing motives and dispatant intentions is conscience. Hereby it is proclaimed as a duty to know the good and to distinguish it from evil which is the opposition of the subjectivity of self-consciousness with a peculiarly particular content to universality, that is, the negative of the good. Conscience is, in another word, self-awareness in determining and judging its own content. Having established his whole system upon a thoroughgoing religious motif, Hegel cannot but firmly hold to the

[1] Op. cit., sec. 113, *Addition.* Italics mine.
[2] Ibid., sec. 113, *Note.* [3] Ibid., sec. 114, *Addition.*
[4] Ibid., sec. 121, *Addition.* Italics mine.
[5] Ibid., sec. 134.

divinity of conscience in this connection and maintain the voice of conscience to be the voice of the Absolute Mind, the message of God.[1]

Ethical Observance in Social Institutions.—Conscience, which is an infinite subjectivity, in order to claim its phases to be universal and objective, must be identical with the abstract universality of the good. "The concrete identity of the good and the subjective will, the truth of these two, is complete only in the ethical system"[2] When actualized in the world, right as the expression of the individual will, and morality as the expression of the subjective conscience, might go arbitrary or non-moral or even evil if left in their isolation. They cannot claim to be rational unless united and synthesized by socio-ethical observance (*Sittlichkeit*) as encountered in such social institutions as the family (thesis), the civic community (antithesis), and the state (synthesis). Right and duty, if rational at all, must coincide and do coincide only in the identity of the universal and the particular wills Under this principle of identity they can be actualized only in socio-ethical life Their rationality is therefore a matter of social objectivity, which forms their common unifying ground Any human conduct, if legal or moral at all, must necessarily be socio-ethical. Its legality and morality are determined by the identity of the universal and the particular wills, or in another word, by the correspondence between adaptive and normative factors that motivate it If prompted in conflict with the common sense of the community, spontaneous inclinations as well as dictates of conscience must be resisted. Humanity is essentially grounded on sociality.

Society disciplines the individual The latter is in the long run regulated by the dictates of social life—the ethical order—which are prescribed by the various social institutions. Social life is a process of education, and education is culture. It is necessitated in the life process of development, and aims

[1] *Phenomenology of Mind*, Baillie's tr., vol. ii, p. 664. Conscience, as affirmed by Hegel, is "moral genius and originality, which takes the inner voice of its immediate knowledge to be a voice divine, and since in such knowledge it directly knows existence as well, it is divine creative power, which contains living force in its very conception It is in short, too, divine worship, 'service of God,' for its action consists in beholding thus its own proper divinity"

[2] *Hegel's Philosophy of Right*, sec. 141

primarily at character-formation. Therefore, Hegel says, "Pedagogy is the art of making men ethical" [1] In place of natural education propounded by Rousseau, Hegel seemingly advocates social education—which is in his eyes very natural from the beginning—in his contention that no one can succeed in alienating man from the laws of the world that are constantly regulating them, and that "only when the individual is a citizen of a good state, does he receive his right." [2]

The social institutions in which the socio-ethical idea is embodied are manifestations of the absolute, universal will. As regulative factors they are, however, not artificially or arbitrarily invented, but are grounded on a rational necessity. They are necessary relations. They prescribe certain socio-ethical creeds, the conformity of action to which is called ethical observance. Ethical observance in the family covers the problems of marriage, family means, and education of children. As the family reveals the direct, natural ethical spirit, the feeling of love is the bond. It gradually increases in size until it disrupts and separates into a number of families whose necessary relations give rise to the civic community. The civic community is an association of members or independent individuals in a formal universality, which is occasioned by economic needs, and is preserved by law under the administration of the court for the security of one's person and property, and by an external system of police and corporation for the particular interest as a common interest. It prescribes the bond of mutual need in the form of custom (*Sitte*) and law

As regards the extrinsic distinction between legality and morality, further than Kant and Fichte, Hegel proceeds to consider law and morals as the peculiar demands of practical reason. Hence, rationality is the common basis of legality and morality. Legality is more certain and universal than morality—which is merely a generally accepted mode of action—since law differs from custom or morals by its definite codification, public promulgation, and compulsory observance. The dictates of conscience, particularly those concerned with the will in its most private subjectivity and particularity, cannot be the object of

[1] Op. cit., sec. 151, *Addition.* [2] Ibid., sec. 153, *Addition.*

positive legislation. But law (*Gesetz*) is right (*Recht*) established with validity. It is positive right in general. The court of justice must recognize and realize it in each special case without the subjective instigation of private interests. The standard of all law and right is not fixed but varies with the various stages of culture and self-consciousness that history reveals. Thus, between Kant and Hegel the static conception of things, ideas, and ideals, passes over to the dynamic, flexible, one. But, following Kant, Hegel holds to the retributive theory of penalty in terms of suppression of crime, injury of an injury, or the negation of the negation of right by the universal will, for the purpose of maintaining or establishing the equilibrium of the social order and unity the criminal has disturbed.[1]

The civic community presupposes the state, and relies on the self-dependent state for its subsistence. In his theory of the state Hegel leaves out the idea of social contract, notwithstanding his glorification of the significance of the state to the utmost extent he can. The state is the highest form of the divine will, the ultimate regulative factor of human conduct. It is " the march of God in the world ; its ground or cause is the power of reason realizing itself as will ".[2] Embracing and absorbing all the smaller societies and individuals, the state as the complete unity of the individual and the universal reveals a twofold significance : it is the reality of the socio-ethical idea, and in its cultural and historical aspect it is no longer " Rechtsstaat " but " Kulturstaat " ever in the making. The highest duty of the individual is to be a member of the state so that he can have his truth, real existence, and ethical status. Such being the case, small wonder that Hegel skipped the problem of the right of rebellion on the part of the individual against the state.

As an intellectual concept, the idea of the state is manifested in three phases : (1) as a self-referring organism, it is the constitution or internal polity ; (2) passing into a relation of the individual state to other states, it is the international law or external polity ; and (3) as a universal synthetic idea, it has absolute authority over individual states—the absolute spirit revealed in the process of world-history. The constitution is determined by the political

[1] v. *op. cit.*, secs. 101–2. [2] Ibid., sec. 258, *Addition*.

consciousness of a people, and is therefore the expression of their spirit and culture at a given time. Its actual efficient operation is the government which is the individual embodiment of the general will. Like law and morals, it is an absolute demand of practical reason, and is plastic while in the course of evolution.

As to the three powers of the government, Hegel advocates the legislative, the executive (including the judicial), and the monarchic to which sovereignty is ascribed. The last is the unifying force of the first two. The personality of the state is the concrete objectivity of wills and is represented by the monarch who is presented by nature, that is, by birth or natural means. To Hegel, as a loyal champion of the Prussian state, constitutional monarchy is the typical achievement of the modern world, in which the three forms, autocracy, aristocracy, and democracy, are comprehended; since the prince represents the one, the executive the few, and the legislative the many, and all of them participate in law-making, which is essential to the unity of the state and its will. He does not believe in the efficacy of the majority rule and has no sympathy for the will of the people on the ground that the highest state officials have necessarily deeper and more comprehensive insight into the workings and needs of the state, and also greater skill and wider practical experience, than the masses of people do.[1] Those who know the state can rule well and therefore should rule. The true representatives of the state are therefore found in the bureaucratic form of government.

In the phase of external polity, Hegel's view of war as an inevitable incident in the establishment and preservation of national security, stability, and individuality,[2] was in fact a product of existing German nationalism and germ of later German imperialism. It is the essential point of the existence of a people that they build and maintain a state. A people without political organization has no history. Including internal and external polity, history is "embodiment of spirit in the form of events".[3] The historical process reveals the peculiar spirit of a people. The world-spirit is revealed in the world-history—in its four phases, the Oriental, the Greek, the Roman, and the German, the last being the crowning phase of human culture.

[1] Op. cit., sec. 301, *Note.* [2] Ibid., secs. 324, 324. [3] Ibid., sec. 346.

C. THE ECONOMIC APPROACH—MARX

Economic Determinism.—As his early admiration and enthusiasm had seemingly led to his later inclinations to intellectual conservatism and state collectivism, for Hegel the task of philosophy in its practical respect was simply to interpret the movement of the universal spirit as already revealed in social institutions, but not in any sense to prophesy or to construct promising ideals[1]; whereas the then new social spirit was beginning to demand social justice and a reconstruction of society for the salvation of the suffering masses of people. This deficiency of Hegel was fairly supplanted by Karl Marx (1818–83), a Young Hegelian, who professed himself a prophet as well as a product of his age.

The Hegelian philosophy really contains two separable parts—the dialectic method and the Absolute Idea, namely, method and substance. Towards the end of the first decade after Hegel's death the antagonism between these grew into the schism between the Young Hegelians, headed by Ludwig Feuerbach[2] (1804–72)—who clung only to the dialectic method and lined up along the left wing under the banner of radicalism—and the orthodox followers who continued true to the Absolute Idea. It was primarily the synthetic combination of Feuerbach's naturalism and Hegel's dialectic that led Marx to the theory of economic determinism—to the economic interpretation of history in particular[3]

Under the persuasion of his father—a Jewish lawyer

[1] Op. cit., Author's Preface, pp. xxvii–xxix. "As for the individual, every one is a son of his time; so philosophy also is its time apprehended in thoughts. It is just as foolish to fancy that any philosophy can transcend its present world, as that an individual could leap out of his time or jump over Rhodes. If a theory transgresses its time, and builds up a world as it ought to be, it has an existence merely in the unstable element of opinion, which gives room to every wildering fancy."

[2] Hegel's conception of the dialectic movement of the Absolute Mind—of which nature is but one manifestation—was in the eyes of Feuerbach merely a philosophical mask of the divine creation of the world. He then reversed the Hegelian system, and raised materialism to the throne. According to him, man is what he eats (*Der Mensch ist was er isst*), and is the centre of all things. Gods are but creatures of human imaginations. Of Feuerbach's further criticism of Hegel from a Hegelian standpoint, Marx voiced his enthusiastic approval.

[3] Cf. Seligman, *The Economic Interpretation of History*, p. 28.

and a Protestant convert—Marx started his academic career as a student of jurisprudence while with his primary interest in the studies of philosophy and history. It was not until he found himself as editor of the *Rheinische Zeitung* (1842–3) involved in the discussions concerning current economic problems and brought thereby into contact with French socialism and communism that he turned to the study of economic subjects.[1] After the *Rheinische Zeitung* had been suppressed by the government in 1843, Marx went to Paris, where in 1844 he met Frederick Engels (1820–95), his most important life friend, and became a socialist largely owing to the influence of Saint-Simon and Proudhon. Meanwhile, he arrived definitely at his theory of economic determinism.[2] He was now confident that the general structure of human society as well as the process of social evolution is determined by the modes of production and exchange of the commodities required for the satisfaction of human needs, and that the basic factors of social changes are to be sought not in men's mental

[1] Marx went in 1838 to the University of Berlin where Hegel's influence held sway. At that time, no doubt, he could not fail to perceive that the Hegelian philosophy had developed and would develop side by side with the Prusso-German bourgeoisie. For his Ph.D. degree which he received from the University of Jena in 1841, he wrote his thesis *On the Difference between the Democritean and the Epicurean Natural Philosophy*, which evidently revealed his early inclination to materialism. At the opening of 1842 he joined the press organ of the *Rheinische Zeitung* at Cologne.

[2] v. *A Contribution to the Critique of Political Economy*, Stone's tr., Author's Preface, pp. 10–13. Marx writes: "The first work undertaken for the solution of the question that troubled me, was a critical revision of Hegel's "Philosophy of Law", the introduction to that work appeared in the *Deutsch-Französische Jahrbücher*, published in Paris in 1844. I was led by my studies to the conclusion that legal relations as well as forms of state could neither be understood by themselves, nor explained by the so-called general progress of the human mind, but that they are rooted in the material conditions of life. . . . The general conclusion at which I arrived and which, once reached, continued to serve as the leading thread in my studies, may be briefly summed up as follows: In the social production which men carry on they enter into definite relations that are indispensable and independent of their will; these relations of production correspond to a definite stage of development of their material powers of production. The sum total of these relations of production constitutes the economic structure of society—the real foundation, on which rise legal and political superstructures and to which correspond definite forms of social consciousness. The mode of production in material life determines the general character of the social, political, and spiritual processes of life. It is not the consciousness of men that determines their existence, but, on the contrary, their social existence determines their consciousness.

sagacity or intellectual attainments, but in changes in the economic forces.

As regards the components of human society, Marx takes not the individuals but the social classes as units, regarding groups as far more real and creative than individual persons in isolation. His idea of the historical evolution of the social process is established on the conception of class struggle, whose basis is class differentiation, which is a product of economic forces. The process of history, as underlain by the development of economic forces, is but a series of class-struggles—struggles for the economic exploitation and the political domination of one class by another. As Marx, together with Engels, says in their *Communist Manifesto* (1847) [1] :—

> The history of all hitherto existing society is the history of class struggles.
>
> Freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another, carried on an uninterrupted, now hidden, now open fight, a fight that each time ended, either in a revolutionary re-constitution of society at large, or in the common ruin of the contending classes.
>
> In the earlier epochs of history, we find almost everywhere a complicated arrangement of society into various orders, a manifold gradation of social rank. In ancient Rome we have patricians, knights, plebeians, slaves; in the middle ages, feudal lords, vassals, guild-masters, journeymen, apprentices, serfs; in almost all of these classes, again, subordinate gradations.
>
> The modern bourgeois society that has sprouted from the ruins of feudal society, has not done away with class antagonisms. It has but established new classes, new conditions of oppression, new forms of struggle in place of the old ones.
>
> Our epoch, the epoch of the bourgeoisie, possesses, however, this distinctive feature; it has simplified the class antagonisms. Society as a whole is more and more splitting up into two great hostile camps, into two great classes directly facing each other; Bourgeoisie and Proletariat.

The economic interpretation of history elaborated by Marx is expected by Engels "to do for history what Darwin's theory has done for biology".[2] For Marx, the historic march of the Absolute in the dialectic manner, which Hegel conceived of as cultural and spiritual, is but the march of

[1] Authorised English translation, pp. 12–13.
[2] Ibid., p. 8.

economic necessity since every cultural factor, every ideological motive in history, is merely a sublimation of economic forces.

Economic Basis of Law and Morals.—If economic forces are the ultimate determining factors of society, they can determine human conduct through various creeds they mould. Marx's system, however, is far from any concern with the psychological question of human motives which determines the actions of individual men.[1] Logically speaking from the Marxian standpoint, human action is determined not so much by inner motives as by responses to such outer stimuli as discharged from the existing economic conditions. Action is always reaction—reaction to economic forces. The law and morals of a community are in the last analysis only outer expressions of the economic forces within it. Of legalism and moralism alike socialism is the common basis.

New means of production bring about new modes of production, which in turn crystallize new ways of life and demand new law and morals. With their social structure based on economic forces, men have to remodel their creeds and ideas according to their ever developing social relationships. Morals and law are therefore conventional in nature and subject to constant change. The legality and the morality of human conduct, as interpreted in terms of extrinsic conformity to law and morals respectively, are thus placed upon a common flexible basis.

Another significant point to which Marx calls the special attention of humanity, is concerned with the possible monopoly of law and morals—of legality and morality—by the ruling class. Among a group of people composed of different social classes, whether an action is good, depends upon the standards of the class to which one belongs. The feudal lords have their favourite virtues; the capitalists have their own; and the class-consciousness of the proletarians will form the basis of their class virtues. In the eyes of Marx, only such bourgeois philosophers like Kant, Fichte, and Hegel, would justify the modern state which is essentially a capitalist machine. The existing social order is the creation of the present-day ruling class—the bourgeoisie—who built the capitalist order on the ruins

[1] Marx, *Capital*, Eden and Edar Paul's tr., vol. i, Introduction, p. xx.

of the feudal system they had broken up. The kingdom, proclaimed for free competition, personal liberty, and equality before the law, has turned into the paradise of all commodity owners wherein they enjoy the monopoly of all class privileges and capitalist blessings. Law, morals, and religion are nowadays nothing but "so many bourgeois prejudices, behind which lurk in ambush just as many bourgeois interests".[1] Within the boundaries of democracy there works one law for the rich and another for the poor. Those who gain the upper hand so entirely monopolize the government. The French Revolution summed up in high-sounding words, Liberty, Equality, and Fraternity, the ruling moral ideals of the third estate; but the resultant class rule — the bourgeois domination — has hitherto acquiesced in slavery, inequality, and exploitation.

With the growing contradiction between the changing social conditions and the stagnating law and morals of the ruling class, new moral ideals naturally appear on the stage. They originate in the self-conscious reaction of the ruled class—economically exploited and socially ignored—against the increasing hypocrisy and cynicism on the part of the high and mighty rulers and exploiters. In the light of such a developing discrepancy between theory and practice, legality tends to intolerable tyranny, morality to conservative restraint. Unless new moral ideas start to function as the agitating and inspiring forces of progress, and unless conscience dares to fight against constitution, morality against legality, humanity will crumble to dust, and the salvation of the suffering masses will continue hopeless. A new moral ideal, once realized at all, always calls forth social changes either gradually or suddenly. It is realizable only through an alteration of the existing social order. After a social revolution ensues, a new social order with new moral, political, and philosophic ideals will be established.

Such a decisive battle between conscience and constitution—between morality and legality—will be fought side by side with revolt of the proletariat against the bourgeoisie. This must have been a sacred belief of Marx since he set out on his mission to preach a new gospel of universal salvation before working men of all countries. Between

[1] *Communist Manifesto*, p. 27.

Hegel and Marx philosophy thus turned from the lecture-room to the market-place!

Ideals as Guides of Conduct.—Hegel justified the past and glorified the present; Marx went one step further so as to anticipate the future. In his great system of social idealism Marx predicted the downfall of the existing capitalist order, prophesied the final triumph of the Proletariat over the Bourgeoisie, and looked forward with joy and hope to the establishment of the world kingdom of classless proletarian equals. To Marx himself and to his followers as well, these ideals are their guides of conduct and goals of struggle.

Marx's materialist conception of history, like Hegel's spiritualist conception, is a doctrine of becoming, of dialectic movement. All class struggles must therefore take place in accordance with the dialectic process. The Protestant Reformation in Germany, the upheaval of Calvinism in England, and the French Revolution, are instances of opposition to feudal aristocracy. The consequent phase—the existing capitalist system—is a logically necessary stage in the process of social evolution. The Industrial Revolution as instanced by that in England has created not only a class of large manufacturing capitalists,[1] but also a class—a far larger one—of manufacturing working men. The socialist system will be another logically necessary stage: Capitalism will eventually yield to socialism in the way feudalism gave way to it. Just as the bourgeoisie, created by feudal aristocracy towards the end of the Middle Ages, hastened the downfall of feudalism by means of the spread of commerce and the development of industry, so must the concentration of wealth into capitalism urge the numerical growth of the proletariat, which is the force to destroy the small privileged class.

To predict the downfall of capitalism, Marx had not only to explain its rise but also to make out its essential character which is still a secret. This Marx did by the discovery of surplus value. At this step Marx had to

[1] The Industrial Revolution is a consequence of the progress of science—a result of scientific inventions. It is true, as remarked by Engels, that "science rebelled against the Church; the bourgeoisie could not do without science, and, therefore, had to join in the rebellion" (Sacobsen, *Utopias and Socialists*, pp. 35 f.).

synthesise his synthesis of Hegel's dialectic and Feuerbach's naturalism with the economic thought of the English classical school, particularly that of Adam Smith and Ricardo. He held the labour theory of value that of all factors of production labour alone is creative and is therefore the sole source of value, and then proceeded to the subsistence theory of wages that the wages of labour tend always to subsistence, although working men can produce by co-operation and division of labour far more than in isolation, which constitutes a great source of surplus value; finally, he discovered the very difference between the price of the commodity sold and the wage paid to the labourer, which he termed "surplus value" and considered it as the nucleus of capitalism. With the discovery of surplus value Marx showed how the labourer gets less than his due and how the rich idler lives by exploiting the poor worker.

Through the economic interpretation of history and the revelation of capitalistic production, Marx claimed his socialism to be "scientific" as differentiated from the Utopian socialisms of Saint-Simon, Fourier, and Robert Owen; and as the able organizer and practical leader as well as the theoretician of the socialist movement[1] he appealed to working men with irresistible eloquence just as Fichte had addressed the German nation. He condemned the gradual appropriation of surplus value—the product of unpaid labour—by the capitalist as the essential injustice of the modern industrial system. In order to remove such an injustice, as opposed to the present-day bourgeois dictatorship (Thesis) the proletarian dictatorship (Anti-thesis) must be established through revolution all over the world at the transitional stage during which the privileged classes should be gradually eliminated until the organization of the classless commonwealth of equals (Synthesis) becomes possible.

The victory of the Proletariat is thus guaranteed by the dialectic logic. Yet to attain to this ideal, working men of all countries must unite into a self-conscious class, then abolish their private property, families, and national barriers, and finally grasp the political power, even at the

[1] In 1864 the International Working Men's Association—known as the First International—was founded in London and Marx became de facto the head of its general council.

cost of bloodshed if necessary. During the stage of their dictatorship they should wrestle all capital from the bourgeoisie, put all means of production under government control, impose the liability to labour upon everybody, and make school education free for all. All their struggle must march towards a classless society, their final goal. To establish such a society, that is, to accomplish the universal emancipation of mankind, is the historical mission of the modern proletarians. This is the highest ideal which functions as the ultimate guide of conduct to every follower of Karl Marx.

D THE POSITIVISTIC APPROACH—COMTE

Human Knowledge at the Positive Stage.—While Marx was editing the *Rheinische Zeitung*, Auguste Comte (1798–1857), another great social reformer of the age, had already completed his profound system of positivistic philosophy with his *Cours de philosophie positive* published in six volumes from 1830 to 1842. Although born into a Catholic and Monarchial family, Comte urgently felt, even when scarcely fourteen years old, the necessity for a general political and religious reform. After receiving the scientific training at the polytechnical school at Paris for a brief period (1814–16), he became in 1818 an acknowledged disciple of Saint-Simon (1760–1825) in the treatment of human knowledge and social phenomena. Meanwhile in his *Sommaire appréciatif de l'ensemble du passé moderne* (1820) he called attention to the fact that in consequence of the introduction of positive sciences into Europe through the Arabians the old social system began as far back as in the twelfth century to yield to a new one organized on the basis of the freed commercial towns, and that positivism had gradually replaced theology since.

Despite Saint-Simon's inspiration and encouragement, creative originality led Comte to his final breach with the master, particularly on the publication of his *Plan des travaux scientifiques* in 1822, in which, setting forth clearly the essential points of his positive philosophy, he appeared as a completely independent thinker. Like many other great systems, Comte's positivism arose in response to the

preceding and the existing thought as a doctrine of revolt and a theory of reform. Even in this early work he already developed his famous "Law of the Three Stages" governing the progress of human knowledge as well as the human mind, both individual and collective.[1] At the first or theological stage knowledge is governed by fictitious ideas since the mind then refers phenomena to supernatural beings; at the second or metaphysical stage it is governed by abstract ideas and the mind explains phenomena by abstractions, either supernatural or natural; and finally, at the positive stage, it is governed by positive ideas while the mind reduces these phenomena to general laws without going beyond the assembled facts. The first is the necessary point of departure of the human understanding; the third is its fixed and definitive state; and the second is merely a state of transition.[2] With this key Comte opens the course of his positive philosophy.

Opposed to all metaphysics and theology, Comte limits knowledge to the phenomenal world governed by natural laws, behind which there is nothing unknowable or unknown at the basis of the phenomena. This is human knowledge at the positive stage, in which the mind, giving up all such ultra-scientific attempts as to explain empirical facts by entities or causes which are in fact irrelevant to experience and not verifiable in it, seeks for the laws of phenomena, namely, their constant, invariable relations of succession and resemblance, and moreover, to look for their reality, usefulness, certainty, and indubitability. The positive spirit must appeal to the positive method—which consists of the procedures of observation, experiment, and comparison—as the means of investigation. It therefore distinguishes itself from the theologico-metaphysical by its steady subordination of imagination to observation; by its tendency to render relative the ideas which were at first absolute; and by the limitation of all phenomena by

[1] "Plan des travaux scientifiques." *Opuscules de philosophie sociale*, p. 100. "Par la nature même de l'esprit humain"; writes Comte, "chaque branche de ses connaissances est nécessairement assujettie dans sa marche à passer successivement par trois états théoriques différents: l'état théologique ou fictif, l'état métaphysique ou abstrait; enfin, l'état scientifique ou positif."

[2] v. Comte, *The Positive Philosophy*, Martineau's abridged tr., vol. 1, pp. 1–2.

determinate laws. Down with metaphysics and theology, and substitute positivism for them!

The resultant positive philosophy must function positively while with certain advantages in illustrating the logical laws of the human mind, in regenerating education, in advancing sciences by combining old ones, and in reorganizing society.[1] It includes in an elaborated whole all the particular, positive sciences, and since each science as a particular branch of knowledge reaches the positive stage early in proportion to its degree of generality, simplicity, and independence of others, Comte classifies them according to their order of successive dependence. As a result he finds six successive, theoretical, and abstract sciences—mathematics, astronomy, physics, chemistry, biology, and sociology; which clearly shows how his early education in the exact sciences at the polytechnical school and subsequent self-studies in biology and history after he left school, meant a gift to him.

Conditions of Order and Progress in Human Society.—"Sociology" as a technical term invented by Comte designates social physics in which he considers two classes of subjects—(1) man or humanity and (2) the medium or environment. By the former sociology is subordinated to organic philosophy—that is, biology—which discloses to us the laws of human nature; and by the latter, it is connected with inorganic philosophy—including mathematics, astronomy, physics, and chemistry—which reveals to us the exterior conditions of human existence. As a positive science dealing with the conditions of order and progress in human society, sociology includes two branches: social statics and social dynamics.

Comte's positive social science is in particular an evident reaction upon the aftermaths of the chaos and turmoil following the Napoleonic wars and the Industrial Revolution, and his positive social theory was developed primarily through the historic criticism of the theological and the metaphysical.[2] Social reform is the most urgent demand

[1] Op. cit., pp. 9–18.

[2] Political continuity regulates sociological succession. The theological polity is retrograde, the metaphysical polity, revolutionary. The office of the former was to hold order, that of the latter, the aiding of progress. Both doctrines, however, become obstructive, the retrograde order tends to tyrannical conservatism, the revolutionary progress, to anarchy.

of his day; the current necessities are order and progress in simultaneous and co-operative function. To fully convince us of the need of a new doctrine Comte points out the chief social dangers which are imputable to all the preceding systems. The greatest one is intellectual anarchy, which inevitably brings about the gradual destruction of the public *morals*, and thereby affects private morality. It is the source of all other dangers.[1]

Order is not retrogradation: progress, not anarchy. They are not irreconcilable: neither can be really established if not fully compatible with the other. The union of them is the chief feature of positive social science, which can thereby claim to be the only possible agent in the reorganization of modern society. The positive principle alone can prescribe under the same principle order in the name of progress and progress in the name of order by treating the harmony and development of humanity as equally subject to invariable natural laws.

radicalism. They are therefore worn out, and must be replaced by a new philosophy which is the positive philosophy. Rousseau's doctrine, which according to Comte, "represents a state of corruption as an ever-growing degeneracy from the primitive ideal type, is common to all modern metaphysicians, and we shall see hereafter that it is only the metaphysical form of the theological dogma of the degradation of the human race by original sin. According to such a principle, all political reformation must be regarded as destined to re-establish that primitive state; and what is that but espousing a universal retrogradation, though with progressive intermissions?" (*op. cit.*, vol. II., p. 18). Out of all sorts of oscillations between these two a third opinion has arisen, which Comte calls the "stationary doctrine." It is essentially provisional, and naturally serves as a guide to society in preserving the material order, without which a true doctrine could not have its free growth. "It acknowledges the essential principles of the other systems, but prevents their action. . . . The theory serves to keep in check the other two philosophies, and thus may be a good but, on the other hand, it keeps them alive, and it is, in so far, an obstacle to reorganization. . . . Its principal merit is that it admits the double aspect of the social problem, and the necessity of reconciling Order and Progress. But it introduces no new idea, and its recognition amounts therefore to nothing more than an equal sacrifice, when necessary, of the one and the other. The order that it protects is merely a material order, and it therefore fails in that function precisely in cases when it is most wanted." (*Ibid.*, p. 22). The stationary doctrine is but a last phase of the metaphysical polity.

[1] From the current intellectual anarchy follows the systematic corruption in the government when true political convictions are excluded. There also takes place the growing preponderance of such low political aims as material and immediate considerations in regard to political questions, which is fatal to progress and order. As a natural consequence and complement of the preceding, we find the incompetence of political leaders who are even antipathic to a true reorganization.

This double conception of order and progress corresponds with the distinction between social statics and social dynamics. "Social dynamics studies the laws of succession, while social statics inquires into those of co-existence; so that the use of the first is to furnish the true theory of progress to political practice, while the second performs the same service in regard to order; and this suitability to the needs of modern society is a strong confirmation of the philosophical character of such a combination".[1] The three chief causes of social variation, according to Comte, result from race, climate, and political action in its whole scientific extent; among which only the political influences are open to human intervention since they are in accordance with the corresponding tendencies of the human mind.[2] It is therefore necessary for social science to understand the natural laws of harmony and succession which determine the course of the evolution of humanity. To understand the conditions of order and progress, the positive method of comparison strikes Comte as most efficient. It involves three departments: Biologically, human society can be compared with other animal societies; geographically, we can compare the different and mutually independent states of human society on the various parts of the earth's surface; and historically, we can compare the consecutive states of humanity. The historical method is "the only basis on which the system of political logic can rest".[3] Therefore, with observation, experiment, and comparison, Comte co-ordinates it in his social physics, and applies it to the analysis of the most complex social phenomena.

Social statics investigates the conditions and laws of social harmony with a view to formulating a positive theory of the spontaneous order of human society. In this, ethics, economics, and politics, find their birthplaces. The three aspects of social status are (1) the conditions of social existence of the individual, (2) the family, and (3) society which comprehends the whole human species. The individual life is ruled by personal instincts; "the domestic, by sympathetic instincts; and the social, by the specific development of intellectual influences, prepare for the states of human existence which are to follow; and that which ensues is, first, personal morality which subjects the

[1] Op. cit., p. 76. [2] Ibid., p. 77. [3] Ibid., p. 87.

preservation of the individual to a wise discipline; next, domestic morality, which subordinates selfishness to sympathy; and lastly, social morality, which directs all individual tendencies by enlightened reason, always having the general economy in view, so as to bring into concurrence all the faculties of human nature, according to their appropriate laws."[1]

The sole moral motive is that of sympathy—inherent in human nature—which is preserved and cultivated mainly in family life. The moral development of the individual consists in the gradual control of egoism by altruism. If society is composed of separate individuals only, altruism can hardly triumph over egoism; on the contrary constant strife and warfare among them will ensue. Fortunately everybody is born and brought up in the family which is the natural social unit and is to him the school of elemental social life, both for obedience and for command. Intermediate between the individual and society, it is the germ of the social organism, the cradle of social order and moral conduct.

Either in church or in state, social life outside of the family is not natural, but is rather motivated by the necessity of co-operation and by the gradual division of labour. While occupational similarity does strengthen fellow-feeling, the division of labour, which is possible and necessary in society, leads to the elementary principle of the appropriation of employments and brings about inconveniences and all sorts of inequality and injustice; because the varieties of speciality occasion individual divergences, both intellectual and moral, which require a permanent discipline to keep them within the same bonds. "Thus it appears to me," says Comte, "that the social destination of government is to guard against and restrain the fundamental dispersion of ideas, sentiments, and interests, which is the inevitable result of the very principle of human development, and which, if left to itself, would put a stop to social progression in all important respects."[2] This political subordination, which is more intellectual and moral than material, is the basis of the elementary and abstract theory of government. The government is thus based on a social force resultant from extended co-operation. It is

[1] Op. cit., p. 123 [2] Ibid., p. 118

set up by the reaction of the whole upon the parts "as a new special function which shall *through legal rules* intervene in the performance of all the various functions of the social economy, to keep up the idea of the whole, and the feeling of the common interconnection".[1] Such being the case, the concept of government and that of society necessarily imply each other. Gone are the social contract theories!

As regards the dynamic study of sociology, Comte contends that social dynamics is to discover the conditions and laws of continuous progress, or rather, of the gradual development of humanity, with a view to formulating a positive theory of the natural progress of human society. The speed of human development runs in proportion to the combined influence of the chief natural conditions relating to the human organism first, and next to its medium. These chief factors of progress Comte enumerates as follows: (1) *Esnui*, which produces a favourable cerebral reaction in its place; (2) the ordinary duration of human life, on account of which the agents of the general movement are steadily renewed, generation after generation; and (3) the natural increase of population—the most important factor—which creates new problems by creating new wants and new difficulties, and thus develops new means, both of progress and of order.

Aside from these, the fundamental factor that motivates social progress is reason. In the constant struggle between our humanity and animality, between altruism and egoism, the direction of the human evolution lies in the growing victory of the former over the latter, which entirely resorts to the power of reason. The preponderant element of our social evolution which gives an impulse to the rest, is thus the more and more marked influence of the reason over the general conduct of man and of society, through which the gradual march of humanity has attained that regularity and preserved continuity. Therefore, "the history of society," affirms Comte, "has been regarded as governed by the history of the human mind," and the latter as the natural guide to all historical study of humanity.[2] This again follows the Law of the Three Stages—that is, of the succession of the primitive theological state, the transient metaphysical, and the final positive state—which can be

[1] Op. cit., p. 120. Italics mine. [2] Ibid., p. 120.

tested by observation, experiment, and comparison. The theological régime is affiliated with the military system, the positive with the industrial. The intermediate régime—the metaphysical—is concerned with the juristic. It is in his *Cours de philosophie positive*, Comte maintains, that social science has for the first time arisen to the positive state.[1]

The Religion of Humanity.—If his social ideal is a polity for the positive society in which altruism as the supreme motive and the detailed regulation of social life—in short, morals and law—are to be the chief linking factors, Comte must seek for a common ground which can unite and synthesize them. And this he finds in his new gospel of Humanity of which he proclaims to be the high priest. Both morality and legality are now to be synthesized by Humanity. Despite his firm conviction in the orderly stages of the development of the human mind and knowledge, Comte the positivist himself developed in an entirely reversed order of the three stages; his scholarly career started from the positive stage, passed through the metaphysical, and reached the theological stage at last. Toward the close of his life he turned completely into a mystic theologian.[1] Under the sentimental inspiration of the genius of Clotilde de Vaux whom he admired after her death as the representative of Humanity, Comte produced his second great work, *Système de politique positive* (in 4 vols., 1851–4), to systematize affections as his first had systematized ideas.

The positivist religion thereby instituted is the systematic worship of Humanity which is simply an inverted form of the Christian gospel of the universal fatherhood of God, and of the universal brotherhood of men. The soul of Humanity, of the Great Being (*Grand-Être*) in the positivist religion, is universal love which is the uniting principle of order and progress. The sacred formula thus runs: *l'Amour pour principe, l'Ordre pour base, et le Progrès pour but*. The natural convergence of all the positivist aspects—Love, Order, and Progress—towards the large conception of Humanity, will irrevocably eliminate that of God.[2]

[1] Op. cit., p. 132.

[2] The religion of Humanity is therefore the religion of Love, of Order, and of Progress. These three forces necessarily involve one another. "Car, l'amour cherche l'ordre et poursuit le progrès, l'ordre combine

This Great Being or Humanity is the immense and eternal organism which forms the ideal community of separable beings, individual and collective, that ought to function as its organs.

As regards the cult of the positivist religion, besides the active, political, and scientific phase, which aims at political reorganization as according to the conditions of order and progress, Comte elaborates the affective, moral, and esthetic phase. All masterpieces of poetry, music, painting, sculpture, architecture, etc., which communicate and perpetuate the noble sentiment of mankind, symbolize and glorify Humanity.[1] In the moral aspect, "live for others" (*vivre pour autrui*) is the supreme dictate of the Great Being, which is an eventual result of submission and devotion to Humanity. Under the inspiration of the Great Being the supreme duty of the individual is to subordinate inevitable egoism to indispensable altruism. With the invention of the term "altruism" Comte apparently attempts to distinguish religion—or better theology—from ethics, but not successfully, although to the already achieved six positive sciences he adds moral science while preaching the religion of Humanity.[2]

The religion of Humanity therefore posits the habitual preponderance of sociability over personality and the development of the affective faculty into universal mutual love, the ruling motive of all social forces underlying order and progress in human society. Most characteristic of the new social gospel is its extension of humanitarianism to all estates of mankind—to women as well as to the proletariat; and above all, the worship of women is regarded by Comte as an essential constituent in the religion of Humanity. The whole positivist religion thus consists in the unity of the three altruistic affections—of veneration towards that which is above us, love towards that which helps us, and benevolence towards that which needs our help.[3]

l'amour et dirige le progrès, enfin, le progrès développe l'ordre and rendons à l'amour. Aimer constitutes, l'affection, la spéculation, et du Grand-Être, dont chaque individualité peut devenir un organe éternel." (Comte, *Système de politique positive*, vol. II, p. 65)

[1] Op. cit., vol. I, pp. 339 ff.

[2] Ibid., vol. IV, p. 283; also *Catéchisme positiviste*, p. 167.

[3] Ibid., vol. II, pp. 18–19.

E. VARIOUS APPROACHES OF UTILITARIANS

1 *The Psychological Approach—Bentham*

Phases of Action Psychologically Analysed.—Peculiarly characteristic of British thought is the utilitarian school, which makes with its wholly empirical treatment of the motives of conduct and its socially visible and realistic conception of the ends of action a wholesale challenge to German idealism. By its adherents actions are considered mainly, if not solely, in respect of their pleasurable and painful consequences, expected or actual, and all proper rules of conduct—both moral and legal—are subordinated to a common ulterior end, which is "the greatest happiness of the greatest number". This end is an ideal to be realized in the future; and in their utility relative to this end all social patterns find the supreme criterion of their value. Like many of their rival thinkers the utilitarians have their common interest in the study of the relationship of the individual to the community with their general tendency to unite a social standard of moral value with an individualistic, or even egoistic, theory of motives. The greatest happiness principle that the common good of all is the supreme end and standard of all rules of conduct, in fact, already found its early beginnings in Bishop Richard Cumberland (1632–1718) and John Locke (1632–1704) as consequent upon their reaction to Hobbes' pure egoism, and found its complete expression in Jeremy Bentham (1748–1832), attained to its culminating phase in John Stuart Mill (1806–73), and finally was transformed into an evolutionary ethics by Herbert Spencer (1820–1903). In theory, this doctrine rests upon the evident inference of the associational psychology, that because every satisfied desire is accompanied with pleasure, the expectation of the pleasure is, therefore, the ultimate motive of all willing, and every particular object is willed and valued only as means for gaining this pleasure. This was the psychological premise of Bentham in particular, although he himself did not develop his own psychological system in any special treatise. This needy want was supplanted by James Mill in his *Analysis of the Phenomena of the Human Mind* (1829) whereby he traced psychologically the genesis of the feelings

—particularly the feeling of moral approval—involved in the ethical experience and explained on the ground of "inseparable association" how the social welfare becomes affiliated with private pleasure so as to constitute a motive.

Devoting with a firm will his life-work to the promotion of legislative and social reform,[1] in his scholarly career Bentham simply started from the traditions of the associational psychology, and in his *Introduction to Principles of Morals and Legislation* (1789) and *Deontology* (published posthumously in 1834) he developed its ethics which had already been discussed by David Hume, Adam Smith, and William Paley. He re-evaluated the hedonistic tendencies of human nature upon the basis of a detailed psychological analysis of the universal motives of men's action, and thereby proclaimed certain rules of conduct for regulating their social relations.

For Bentham, as for Epicurus, mankind is governed by two sovereign masters, pleasure and pain; the principle of utility recognizes this subjection. By "utility" he means "that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness, or to prevent the happening of mischief, pain, evil, or unhappiness to the party whose interest is considered: if that party be the community in general, then the happiness of the community, if a particular individual, then the happiness of that individual".[2] The standard of value is hedonistic. Yet not as in the case of Epicureanism it is social and ought to be universally common to all members of the community. As the community is the sum total of individuals, the common welfare is that of all of them, or the majority of them. The principle of the greatest happiness of the greatest number, while it is a phase alternative to that of the principle of utility, is the criterion of right and wrong. Conformity to the principle of utility

[1] Born the son of an English attorney, his early dissatisfaction with William Blackstone's legal principles led him to speculate upon legal abuses and therefore propound remedial measures, both political and legal, as first instanced in his *Fragment on Government*, which appeared in 1776. Meanwhile, the demand for liberal reform in England, following the republican movement in France, was agitated by a group of politicians who clustered about Bentham and found in his teachings the core of a political reform. Yet he did not live to see many reforms close to his heart carried out.

[2] *Introduction to Principles of Morals and Legislation*, p. 2.

is therefore the basis of all social conduct. To this both morals and legislation must be subordinated, and by this morality and legality are synthesized.

The universalism of the supreme standard of conduct, however, presupposes an individualistic basis. In the eyes of Bentham, to talk of the interest of the community, we must understand the interest of the individual, and therefore the hedonistic tendencies of human nature are analysed on that basis. He classifies both pleasures and pains into simple and complex divisions, and enumerates fourteen kinds of simple pleasures—namely, those of sense, of wealth, of skill, of amity, of a good name, of power, of piety, of benevolence, of malevolence, of memory, of imagination, of expectation, of association, and of relief—and twelve kinds of simple pains—that is, those of privation (including those of desire, of disappointment, and of regret), of the senses, of awkwardness, of enmity, of an ill name, of piety, of benevolence, of malevolence, of memory, of imagination, of expectation, and those dependent on association [1] Some of these which suppose the existence of the same pleasure or pain of somebody else, are then said to be extra-regarding; the rest, self-regarding. The quantity of pleasure or pain is felt by the degree or quantum of a man's sensibility, and therefore either pleasure or pain can be measured according to such quantitative categories as intensity, duration, certainty or uncertainty, propinquity or remoteness, fecundity, and purity.

In an action there are to be considered, according to Bentham, six phases: (1) The act which is done, (2) the circumstances in which it is done, (3) the intentionality that may have accompanied it, (4) the consciousness that may have accompanied it, (5) the motives which gave birth to it, and (6) the disposition which it indicates. Acts may be positive or negative, either relatively or absolutely; external—either transitively or intransitively—or internal; transient or continued; and indivisible or divisible, either with regard to matter or with regard to motion. A circumstance of an act is any object standing round it. It is material when it bears a visible relation in point of causality to the consequences; immaterial when it bears no such visible relation. It may be related to an event in point

[1] v op. cit., chap. v.

of causality, in four ways—production, derivation, collateral connection, and conjunct influence. In this connection, Bentham again enumerates thirty-two kinds of circumstances influencing sensibility,[1] to which he calls the eye and attention of both the judge and the legislator. Any one or all of the circumstances with which an act is attended, can be the object of consciousness that may have accompanied the action. If the agent has been aware of the circumstance, his act then has been an advised act, with respect to that circumstance; otherwise, an unadvised one. If he has mis-supposed it, his act is said to have been a misadvised one.

The objective which an action aims at or desires is called "intention". It may regard either of two objects—the act itself and its consequences—of which, that which the intention regards is said to be "intentional". If it regards both objects, the whole action is then intentional; otherwise, unintentional. The causes of an intention are motives, the effects its consequences. The intention may be good or bad itself, independently of the motive as well as of the eventual consequences, since the nature of its effects or consequences and the nature of its causes or motives are perfectly distinguishable. It may be termed "innocent" in case that act is unadvised or misadvised with respect to any circumstance which would have served to prevent or to outweigh the mischief of the consequences otherwise.

The general tendency of an act depends upon the motives and the disposition of the agent. By a motive Bentham means "anything that can contribute to give birth to, or even to prevent, any kind of action".[2] Motives to the will are called practical as differentiated from speculative ones concerned with the understanding. By influencing the will of a sensitive being, a practical motive is supposed

[1] The thirty-two kinds of such circumstances are as follows: Health, strength, hardiness, bodily imperfection, quantity and quality of knowledge, strength of intellectual powers, firmness of mind, steadiness of mind, bent of inclination, moral sensibility, moral biases, religious sensibility, religious biases, sympathetic sensibility, sympathetic biases, antipathetic sensibility, antipathetic biases, immunity, habitual occupations, pecuniary circumstances, connections in the way of sympathy, connections in the way of antipathy, radical frame of mind, radical frame of body, sex, age, rank, education, climate, language, government, and religious profession [*op. cit.*, chap. vi].

[2] *Op. cit.*, p. 87.

"to serve as a means of determining him to act, or voluntarily to forbear to act, upon any occasion".[1] Pleasure and pain are not only the ends of action but also the ultimate motives that determine it. Nothing can act of itself as a motive but the ideas of pleasure or pain. It is to this last internal motive in prospect that all the other motives in prospect owe their materiality. These motives in prospect give birth to the intention of looking to the consequences of actions, to events which do not yet exist, or to the fulfilment of any yet realized ideal.

There are no motives either constantly good or constantly bad. "If they are good or bad, it is only on account of their effects: good, on account of their tendency to produce pleasure, or avert pain: bad, on account of their tendency to produce pain, or avert pleasure."[2] Since motives are so various, on carrying out any action, a man is often acted upon by competing motives which may be either impelling or restraining. The ultimate motive of pleasure points to the social welfare, however. Thus, Bentham distinguishes motives according to the tendency which they appear to have to unite, or disunite, the interests of the party himself and those of the other members of the community. Such motives like goodwill, love of reputation, desire of amity, and religion, he calls "social"; displeasure, "dissocial"; and physical desire, pecuniary interest, love of power, and self-preservation (which includes the fear of the pains of the senses, the love of ease, and the love of life), "self-regarding." The dictates of goodwill which alone is purely social, are surest of coinciding with those of the principle of utility, since the latter are the dictates of the other social motives which are semi-social in fact, may and may not conform to those of utility.

These motives which act in the character of restraining motives, are called "tutelary"; if they are standing or constant, they act generally with more or less force to restrain a man from any mischievous acts, and if occasional, they act according to the nature of the particular occasion. Goodwill, love of reputation, desire of amity, and religion are the standing tutelary motives. Occasional tutelary motives may be any whatsoever—such as love of ease and self-preservation in particular.

[1] Op. cit., p. 86. [2] Ibid., p. 102.

Serving as the connecting-link between intentions and motives, there is what Bentham calls disposition. It is a tendency permanent in a man's frame of mind, which is to be inferred from the apparent tendency of the act and from the nature of the motive. The nature of a man's disposition, since his disposition is the sum of his intentions which owe their birth to motives, depends upon the nature of the motives he is apt to be influenced by—or, in other words, upon the degree of his sensibility to the force of such and such motives It is considered in two respects: according to the influence it has, either, on his own happiness, or, on the happiness of others. It is good or bad according to the effects it has in augmenting or diminishing the happiness of the community For Bentham, as well as for Kant, to reform bad disposition is "the business rather of the moralist than the legislator",[2] since it is quite evident that disposition is the ground of morality rather than of legality

Sanctions of Action Enumerated—As motives, pleasure and pain render service to reason, which points to the right way whereby the happiness of myself and of my fellow-men may as well be furthered. Yet reason must be guided by certain sanctions with authoritative ground. Otherwise, anti-social conduct might ensue As to the causes of anti-social conduct, Bentham enumerates in his *Deontology* (Part I, pp 122 ff), four classes—that is, false principles in morals, misapplication of religious creeds, preference of the self-regarding to the social interest, and finally preference of lesser present to great distant pleasure. In short, anti-social conduct is due to a miscalculation of self-interest and utility.

"Sanctions," according to Bentham, "are inducements to action. They suppose the existence of temptations. Temptations are the evil; sanctions the remedy. But neither are sanctions nor temptations anything but pains and pleasures, acting singly in the case of temptations, acting as sanctions in groups."[3] Sanctions are therefore the main sources of pleasure and pain which function as their ways of determination or as modes of obligation on the part of the individual, especially so since both are capable of giving a binding force to any rule of conduct derived

[2] Op. cit., p. 132. [3] *Deontology*, pt. i, pp. 87–8

from any source. These sanctions fit well into what we have termed "motivating factors of social conduct" which keep the pleasure-seeking and pain-avoiding individual from interfering with the interests of others.

The sanctions of action have five main classes—the physical, the social,[1] the political, the moral or popular, and the religious. The physical sanction, derived from the physical construction of man in general, refers to bodily sensibility, as experienced in the pains and pleasures affecting the body. It is the underlying ground of the rest, and is included in each of them, although it may operate independently of them. The social or sympathetic sanction refers to the governmental authority, the moral or popular, to the public opinion of the community; and the religious, to the immediate hand of a superior invisible being wherefrom we expect pleasures and pains with hopes or fears.

The religious or superhuman sanction has two principal sources of influence—first, the Divine Being supposed to be cognizant of the existence of every misdeed in question, and secondly, perfect knowledge of the exact quantity and quality of its malignity—which would be greatly strengthened by the belief in a particular Providence. It is founded, and can only be founded, on the moral attributes of God, and these attributes necessarily coincide with those of the greatest happiness principle. Such a great theist as he is, Bentham does not consider the religious sanction seriously while his interest lies almost entirely in the moral and the political sanction—particularly in the latter.

Using the two terms "moral" and "popular" almost as synonyms, Bentham argues for his theory of public opinion as the received decision of society on conduct largely through his repudiation of any doctrine of the *summum bonum* as that held by Kant and any theory of conscience as that taught by Adam Smith. He contends that the end of action is happiness and not the *summum bonum* since happiness is to be enjoyed while the *summum bonum* is simply to be talked of. From the field of morals he attempts

[1] The social sanction is mentioned as the second one in the *Deontology* (pt. 1, pp. 88–118), whereas in the *Introduction to Morals and Legislation* only the other four are elaborated.

to get rid of "conscience" with such simple weapons as follows[1]:—

> Conscience is a thing of fictitious existence, supposed to occupy a seat in the mind. A conscientious person is one who, having made to himself a rule of conduct, steadily abides by it. In the common use of the phrase, it is implied that his rule of conduct is a correct one. But only in so far as his rule of conduct is consistent with the principles of utility can his conscientiousness be deemed virtuous. Whenever his conscientiousness takes a direction opposed to the general well-being, it is pernicious in the very proportion of its influence.
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> Good and evil conscience are sometimes used to represent the tribunal before which a man tries the merits of his own actions in his own mind, and the recompense or punishment which he attaches to those actions. A good conscience is the favourable opinion which a man entertains of his own conduct; an evil conscience is the unfavourable decision of a man on his own conduct. But the value of the judgment given must wholly depend on its being subservient to, or rather on its being an application of the greatest happiness principle.

The public voice of the community once internalized by Adam Smith as the "man within the breast" is now utterly restored by Bentham to the community. There is left no room for conscience, and there can be no "internal" sanction beyond the already enumerated five "external" ones.

The political sanction has two branches, the judicial and the administrative. "The judicial acting almost exclusively by punishments, the administrative mostly by rewards. This sanction becomes law, and is called into operation upon all these acts which legislation makes penal, or those which legislation deems worthy of public recompense. It is the legislator rather than the moralist, who is armed with the political sanction. ."[2] In this manner Bentham contends for legalism through government as Kant did. Nevertheless, following Hume, he repudiated the social contract theory and regards the difference between the natural and the civil state as fictitious. Obedience to law and government, according to him, is habitual and customary. If that habitual obedience is the basis of a state, any right of resistance on the part of the subjects cannot be legal since their legal duty is unconditional.

[1] Deontology, pt. 1, p. 137. Italics in text.
[2] Ibid., p. 168.

obedience. Yet it is an unconditional attribute of every subject to enjoy the moral right and fulfil the moral duty to resist the supreme power if necessary

However, Bentham's legalism is not as rigid as Kant's. It is full of educational purports—nay, government is education. As a circumstance government "operates principally through the medium of education: the magistrate operating in the character of a tutor upon all the members of the state, by the direction he gives to their hopes and to their fears . . . The effects of the peculiar power of the magistrate are seen more particularly in the influence it exerts over the quantum and bias of men's moral, religious, sympathetic, antipathetic sensibilities" [1] The art of government, in so far as it concerns the direction of the actions of persons in a non-adult state, Bentham calls the art of education Private education is engaged in by those who, in virtue of some private relationship, are the best able to discharge this office; public education is exercised by those whose province it is to superintend the conduct of the whole community. The government of the state is then nothing but an institution—the highest institution—of public education.

While "deontology" for Kant includes ethics and jurisprudence, for Bentham it is part of ethics. It is "private ethics". Ethics in general is "the art of directing man's actions to the production of the great possible quantity of happiness, on the part of those whose interest is in view" [2] The art of directing the actions of other persons is the art of government; whereas the art of directing one's own actions is the art of self-government, which is private ethics.

Moralism is a matter of self-government. It exhibits the rules (1) of prudence, or of one's duty to himself, (2) of probity, or of his negative duty to his neighbour, and (3) of beneficence, or of his positive duty to his neighbour. Deontology or private ethics is therefore the science by which happiness is created out of motives extra-legislatorial; whereas jurisprudence is the science by which law is applied to the production of felicity. The former concerns morality, the latter legality, although both morality and legality

[1] *Introduction to Principles of Morals and Legislation*, p. 63.
[2] Ibid., p. 310

must conform to the principle of utility. "The line which separates the dominions of the Legislator from those of the Deontologist is tolerably distinct and obvious. Where legal rewards and punishments cease to interfere with human actions, there precepts of morality come in with their influences. The conduct which is not given over to the tribunals of the state for judgment, belongs to the tribunals of opinion—*of public opinion especially*."[1] Though the territory of morality encloses that of legality, the former turns into the latter as soon as compulsory force from without appears to underly it in the form of the threats of punishment, or of the promises of reward. Nevertheless, there are cases, says Bentham, in which punishment—the punishment by the political sanction—ought not to be inflicted, but private ethics does and ought to interfere. These are those in which punishment would be groundless, inefficacious, unprofitable, or needless. In such cases, the eyes of law may be evaded but not those of morals!

If the business of government is to promote the happiness of the society by punishing and rewarding, the general object of law—however flexible its rules may be according to the needs of the day under the greatest happiness principle—is to augment the total happiness of the community, and therefore in the first place, to exclude mischief. This brings us into the field of penal law and the theory of punishment, which show us a picturesque view entirely different from that of Kant's retributive theory.

The mischief of an act for Bentham is the aggregate of its evil consequences. Yet all punishment is an evil. "Upon the principle of utility, if it ought at all to be admitted, it ought only to be admitted in as far as it promises to exclude some greater evil."[2] The function and purpose of punishment Bentham describes very precisely in the following passage[3]:—

> The immediate principal end of punishment is to control action. This action is either that of the offender, or of others: that of the offender it controls by the influence, either on his will, in which case it is said to operate in the way of *reformation*;

[1] *Deontology*, pt. 1, p. 27. Italics mine.
[2] *Introduction to Principles of Morals and Legislation*, p. 170.
[3] Ibid., pp. 170–1 f. Italics in text.

> or on his physical power, in which case it is said to operate by *disablement*: that of others it can influence no otherwise than by its influence over their wills, in which case it is said to operate in the way of *example* . . . Example is the most important end of all, in proportion as the number of the persons under temptation to offend is to one.

There are, however, four objects of punishment which, a legislator, whose views are governed by the principle of utility, naturally proposes to himself: to prevent all offences if possible, to prevent the worst if a man has to commit an offence of some sort, to keep down the mischief, and to act at the least expense. In case punishment is groundless, inefficacious, unprofitable, or too expensive, or needless, it ought not to be inflicted at all. Otherwise, morally speaking, a punishment is in the long run calculated "to inspire the public with sentiments of aversion towards those pernicious habits and dispositions with which the offence appears to be connected; and thereby to inculcate the opposite beneficial habits and dispositions".[1] Such an educational theory of penalty Kant would have repudiated beyond all doubt.

A final contrasting point between the two great thinkers is precisely this, that while in the eyes of Kant the last murderer left in prison must be executed even on the eve of the downfall of the existing régime, Bentham advocates with the mercy and patience of an enthusiast the necessity of prison reform and the well treatment of criminals. Kant drew a sharp line of demarcation between moralism and legalism, and left the gap unpaved. Bentham admits of the existence of the boundary line, but laboriously attempts to push the field of moralism into the territory of legalism.

2. *The Socio-ethical Approach—J. S. Mill*

From Bentham the leadership in utilitarianism passed through James Mill to John Stuart Mill (1806–73), whose essay on *Utilitarianism* (published in 1863) represents the culminating phase of the doctrine. Born the dutiful son of James Mill, he was reared in the strictest utilitarian doctrine and the principles of the associational psychology

[1] Op. cit., p. 184 f.

to carry on the tradition; and as the acknowledged disciple of Bentham and Comte, he endeavoured to find a mediate way between the two great predecessors by adding to the former's individualistic theory of human nature and psychological method of analysis the latter's stress on the social existence of the individual and on the conception of development. Despite his extraordinary reverence for his father and respect for his masters, in excess of his initiating originality he could not but elaborate certain distinguishing elements of thought which altogether mark the steps of advance and depict the zenith of significance in the historical development of the utilitarian school.

His intellectual background having been saturated with his knowledge of the utilitarian tradition and the positive philosophy, John Stuart Mill for the first time in the history of Western ethics brought into use the term "utilitarianism" in his essay which, if differentiated from Bentham's *Deontology* or *Private Ethics*, can be legitimately called a manual of *Social Ethics* as far as it is an attempt to contribute something towards the socio-ethical criterion—the greatest happiness principle—and to restate it in terms of the sociality of human nature and the ethical significance of the increasing complexity of human relations for habit- and character-formation of the individual

Young Mill, like his father, started practically from the position of Bentham, accepting the creed of utility, or the greatest happiness principle, as the foundation of law and morals, and recognising the teleological conception of action as well as the empirical way of ethical judgment. He was very particular about a clear notion of the term "utility" which is very liable to confusion with "expediency". The latter term, according to him, refers to the particular interest of the agent himself; the former, to the general interest of the community. To this end and standard of conduct Mill advocated an unqualified subordination of private to general happiness, with an intimated argument—which does forecast Spencer's viewpoint—that the calculation and consideration of the common welfare, though empirically no room may be left for it, does work in the individual's mind as a result of the whole past duration of the human species.[1] Thus, while Bentham

[1] Cf. *Utilitarianism, On Liberty, Representative Government*, pp. 31-2.

built his system primarily upon the selfish interests of the individuals who compose the community, Mill based his utilitarianism on their social motives. This is the underlying current of their differences.

On dealing with the hedonistic tendencies of human nature, Mill makes us over against Bentham's quantitative estimate a qualitative estimate of pleasures. Accordingly, he tends to the Platonic emphasis on the mental and the intellectual classes of pleasures, and also to the inevitable disregard of consistent Epicureanism. Since human beings have faculties more elevated than the mere animal appetites, such pleasures as those of the intellect, of the feelings and imagination, and of the moral sentiments, are far more valuable than those of mere sensation. Utilitarian writers have admitted this largely on account of the greater permanency, safety, and uncostliness, of the former. "It is quite compatible," affirms Mill, "with the principle of utility to recognize the fact, that some *kinds* of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimate of pleasures should be supposed to depend on quantity alone."[1] Even certain social utilities, like liberty and justice, differ not only in degree but also in kind. So does happiness! Therefore, Mill argues as follows[2]:—

> The utilitarian morality does recognize in human beings the power of sacrificing their own greatest good for the good of others. It only refuses to admit that the sacrifice is itself a good. A sacrifice which does not increase, or tend to increase, the sum total of happiness, it considers as wasted. The only self-renunciation which it applauds, is devotion to the happiness, or to some of the means of happiness, of others; either of mankind collectively, or of individuals within the limits imposed by the collective interests of mankind.

To re-enforce this point of view, he even appeals to the Bible, saying[3]:—

> In the golden rule of Jesus of Nazareth, we read the complete spirit of the ethics of utility. To do as one would be done by, and love one's neighbour as one's self, constitute the ideal perfection of utilitarian morality.

[1] Op. cit., p. 7. Italics in text.
[2] Ibid., pp. 15–16.
[3] Ibid., p. 16.

The test of quality, and the rule for measuring it against quantity, is "the preference felt by those who in their opportunities of existence, to which must be added their habits of self-consciousness and self-observation, are best furnished with the means of comparison." [1] This apparently implies the assertion that the leadership of experts must be followed by everybody As to why these experts prefer one kind of pleasure to another, Mill accounts for it on the ground of their "sense of dignity" or self-respect which discriminates them. It is due to this sense of dignity that an individual might even prefer to sacrifice his life for the good of the community which is in his eyes far more significant than his good. "It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied" [2] Thus, from Bentham's hedonistic standard of value Mill passes over to a "humanistic" one. Bentham takes pleasure derived from self-interest as the standard for value; Mill rather seeks for a standard for pleasure, which he finds in the self-respect of humanity

Coming to the treatment of the sanctions of the precepts of the greatest happiness principle, Mill admits all the "external" sanctions Bentham enumerated, to which he adds the so-called "internal" sanctions—the personal feeling of duty and the social feeling of unity with the group Through the psychology of association and of habit he attempts to give an empirical account of the origin and development of these internal sanctions, with the immediate result that he has to recognise the immense capability of self-culture on the part of the human organism. These various steps altogether constitute Mill's greatest challenge to Bentham's position

The internal sanction of duty, whatever the standard of duty may be, is a feeling in our mind "The feeling, when disinterested, and connecting itself with the pure idea of duty, and not with some particular form of it, or with any of the merely accessory circumstances, is the essence of Conscience" [3] It is the ultimate internal sanction recognised by both the intuitive and the empirical ethics, whether it is innate or implanted Conscience as the court

[1] Op. cit., p. 11 [2] Ibid., p. 9 [3] Ibid., p. 26

of moral cases, once banished by Bentham from ethics, is now restored to it by Mill.

According to Mill, this feeling of duty is not innate, but acquired. The moral faculty is a natural outgrowth from human nature if not a part of it Its birth is spontaneous, and yet it is susceptible of being brought by cultivation to a high degree of development. All conscientious feelings, when intellectual culture goes on, are implanted by education. They always need enough care and cultivation. But they are not possessed by everybody. The mass of people are left at the mercy of the external sanctions. Since will is amenable to habit, the feeling of duty as well as the sense of dignity depends upon the general cultivation of noble character on the part of the few competent for leadership

The feeling of duty, when associated with utility, must needs rely upon "the social feelings of mankind; the desire to be in unity with our fellow-creatures." [1] The conviction that this feeling of unity with fellow-creatures is an attribute which it would not be well for everybody to be without, is the ultimate sanction of the greatest happiness morality, the foundation of Mill's utilitarianism All social feelings are compounded of (1) sympathy with the pleasures and pains of others as consequent upon the inevitable association of the self with other equal selves and also upon the necessity of co-operation in everyday life, and (2) habits of consulting others' welfare from a consciousness of mutual need and implication of interests, which are cultivated in the process of education and social life. Altruistic impulses are natural because everybody is born into social life. "The social state is at once so natural, so necessary, and so habitual to man, that, except in some unusual circumstances or by an effort of voluntary abstraction, he never conceives himself otherwise than as a member of a body; and this association is riveted more and more, as mankind are further removed from the state of savage independence." [2] This passage clearly implies the social basis of self-consciousness and also points to an organic view of society.

The willingness of an individual to sacrifice his own end for the end of the group, Mill again explains by the operations of the law of association. Since the ultimate end of all

[1] Op cit., p 39 [2] Ibid., p 39

social conduct is happiness, each one of the various means to attain to this end may be desirable both in and for itself. It is due to the strong association generated between means and ends that what was once desired as a means, has come to be desired for its own sake. In such a case the means has already turned identical with or into a part of the end. Thus, the mere possession of virtue, of money, of power, or of anything conducive to, or associated with happiness, is a source of pleasure and is therefore desired for its own sake.

The last point of difference, though not of the least importance, is Mill's emphatic treatment of the religious sanction which Bentham did not take seriously. The essay on the "Utility of Religion" written (between 1840 and 1858) prior to the *Utilitarianism* was a foregoing attempt to describe the moral usefulness of religion. First of all, Mill treats religious belief as an instrument of social good.[1] Religion, according to him, exercises enormous influences on the human mind through the powers of its three essential appanages—those of authority and of education which operate through men's involuntary beliefs, feelings, and desires, and the power of public opinion which operates directly on their actions. It is powerful not by its intrinsic force, but because it has wielded all these additional and more mighty powers. Next, Mill considers religious belief as an instrument of individual good. As life is surrounded by mysteries, imagination takes place and the belief in invisible beings causes fear. Religion is just "the product of the craving to know whether these imaginary conceptions have realities answering to them in some other world than ours."[2] "Belief in a God or Gods, and in a life after death," continues Mill, "becomes the canvas which every mind, according to its capacity, covers with such ideal pictures as it can either invent or copy. . . . So long as human life is insufficient to satisfy human aspirations, so long there will be a craving for higher things, which finds its most obvious satisfaction in religion. So long as earthly life is full of sufferings, so long there will be need of consolations, which the hope of heaven affords to the selfish, the love of God to the tender and grateful."[3]

[1] "Utility of Religion": *Three Essays on Religion*, pp. 77–84.
[2] Ibid., p. 103. [3] Ibid., p. 104.

As influenced by Comte, Mill finally has to argue for the supremacy of the religion of humanity[1] over the religion of theism on the ground that the former, with the sense of unity with mankind and a deep feeling for the general good as its basis, has certain advantages over any form of supernaturalism. In the first place, the religion of humanity is disinterested, carrying the thoughts and feelings out of self, and fixing them on an unselfish object, loved and pursued as an end for its own sake; whereas the supernatural religions, busy involved in promises and threats regarding a future life, do exactly the contrary.[2] Furthermore, it functions better than any supernatural religion as a means of elevating and improving human nature. In this respect, Mill declares that the Author of the Sermon on the Mount is assuredly a far more benignant Being than the Author of Nature.[3] So, unfortunately, he remarks, every Christian is obliged to believe that the same being is the author of both. "This, unless he resolutely averts his mind from the subject, or practises the art of quieting his conscience by sophistry, involves him in moral perplexities without end, since the ways of his Deity—*e.g. the creation of a Hell and the predestination of human beings*—in Nature are on many occasions totally at variance with the precepts, as he believes, of the same Deity—*e.g. atonement and redemption*—in the Gospel."[4]

3 *The Evolutionistic Approach—Spencer*

The utilitarianism, which Bentham and J. S. Mill had built upon no definite metaphysical basis, was meanwhile transformed into an evolutionary ethics by Herbert Spencer (1820–1903), who interpreted its legacy in the light of his synthetic and systematic philosophy of cosmic evolution. As the immediate consequence, he advanced from the inductive and experimental nature of the precepts of his predecessors to the possibility of giving all rules of conduct a deductive and necessary character. The basic premises were set forth in his *First Principles* published in 1864

[1] Cf. *op. cit.*, p. 109.
[2] *V. supra*, p. 36, f. 1.
[3] "Utility of Religion." *Three Essays on Religion*, p. 112.
[4] *Ibid.*, p. 113. Italics mine.

in which he attempted a working out of ultimate universal principles. To the doctrine of cosmic evolution which he had developed quite independently of Charles Darwin, Spencer added his "Hegelian" conviction that truth generally lies in the co-ordination of antagonistic opinions; and on developing his philosophy of evolutionism as a system of "completely-unified knowledge" he focused his attention upon the search for the common agreement among antagonistic opponents and for the agreement among the agreements so as to arrive at the agreement of the highest degree of synthetic generality. Therefore, throughout the course of his philosophical system he attempted to co-ordinate and reconcile religion and science, the unknowable and the knowable, the absolute and the relative, rationalism and empiricism; so that in the fields of sociology and ethics he synthesized individualism with collectivism, and egoism with altruism.

Interpreting the world phenomena, both organic and inorganic, in terms of a process of constant evolution, Spencer developed his social and moral teachings around the two concepts of adaptation and heredity. Therefrom deduced, life simply consists in "the continuous adjustment of internal relations to external relations."[1] It is a progressive adaptation of subjective to objective factors, so to speak. Social life is then nothing other than the progressive adaptation of man to his plastic environment, physical and social. Referring the development of the individual back to that of the race, Spencer treats of society like an individual organism. His *Principles of Sociology* (1876–96) thus concerns super-organic evolution—that phase of evolution which includes "all those processes and products which imply the co-ordinated actions of many individuals."[2] Therein are clearly enumerated the formative factors of society and the normative factors of conduct.[3]

The behaviour of every aggregate is determined by the nature of its component units and the forces to which it is exposed. Social phenomena, from this point of view, must depend partly on the natures of the individuals and

[1] *First Principles*, sec. 95.
[2] *Principles of Sociology*, vol. i., sec. 2.
[3] Ibid., chap. ii. *et seq.*

partly on the forces the individuals are subject to. As to the original factors of social phenomena, Spencer enumerates extrinsic factors such as those of climate, of surface, of flora, and of fauna; and intrinsic factors of the physical traits, of the emotional traits, and of the intellectual traits, of the individual man taken as a social unit. Aside from these, he enumerates five secondary or derived sets of factors: (1) the progressive modifications of the environment, inorganic and organic, which societies effect; (2) the increasing size and density of the social aggregate; (3) the reciprocal influence of the society and its units as consequent upon the interaction between the community and each member of it; (4) the influence of the super-organic environment as consequent upon the interaction between one society and another; and, finally, (5) the accumulation of super-organic products such as modern appliances, language, knowledge, customs, laws, and institutions.

The combined actions of the individuals bring about social institutions—domestic, ceremonial, political, ecclesiastical, professional, and industrial—each of which prescribes a certain set of rules regulating human action. That set as prescribed and enforced by the political institution is law, whose original as well as essential source Spencer finds in custom.[1] Its binding force is primarily the sense of fear, the ultimate motive of all legal conduct. Just as the fear of the dead becomes the root of the religious control, the fear of the living becomes the root of the political control. Since both have the same psychological ground, in early stages of social evolution there is little or no distinction between sacred law and secular law, and between the religious and the political sanctions.

The laws of recognized human origin, as differentiated from those of supposed divine origin, again differentiate into those derived from the will of the ruling agency and those derived from the aggregate of private interests. The consensus of individual interests is the source of legal obligation, in which laws originate impersonally and have equality as their essential principle. It was dominant before personal authority grew up, and again becomes dominant as the power of the political head declines—as

[1] Op. cit., vol. ii, sec. 658.

industrialism fosters an increasingly free population—as the third element in the triune political structure, long subordinated, grows again predominant. It nowadays finds its elaborated expression in the legislative body. According to Spencer, the impersonally-derived law—the law derived from the consensus of individual interests—becomes an applied system of ethics, namely, that part of ethics concerning men's just relations with one another and with the community.[1]

In his *Principles of Ethics* (1879–93) Spencer advanced two significant steps beyond the limits of Bentham and Mill. First, he substituted for "utility" as the end and standard of action a more objective conception—the maintenance of life under which both self-preservation and species-perpetuation are subsumed. Conduct, defined as "the adjustment of acts to ends",[2] to the ends of self-preservation and species-perpetuation, is good or bad according as that adjustment is, or is not, efficient. Efficient adjustment yields pleasure; inefficient adjustment, pain. The continuous existence and development of life is evidently conditioned by the accompaniment of the hurtful with pain and of the advantageous with pleasure. This leads Spencer to the inevitable assertion "that conduct is good or bad according as its total effects are pleasurable or painful".[3]

At the second step of advance, Spencer modified the associational account of the birth and growth of moral sentiment by advocating the heredity of moral experiences acquired by the group as well as by the individual. The problem as to how the common welfare can become an end and motive of action under the guidance of the original self-seeking impulse of the individual, had perplexed Bentham a lot. This Spencer attacks on the ground that certain moral experiences, particularly those of utility, have been developed and inherited in the human species from one generation to another. In the course of evolution they are implanted into the nervous system with its tendencies, which are transmitted as physical dispositions and function in individuals as self-evident moral ideas

[1] Op. cit., vol. ii, sec. 534.
[2] *Principles of Ethics*, vol. i, sec. 2.
[3] Ibid., sec. 10.

when actualized. These qualities must be fit, useful, and conducive to the maintenance of life. Social instincts are simply some of them thus developed by natural selection. Out of the necessity of mutual adjustment in the course of social evolution the sentiment of sympathy arises. Equipped with the highest intelligence man becomes moral as soon as he becomes able to reflect upon the past, judge the present, and anticipate the future moral situations. The mental effects of sympathy constitute what is called "the moral sense". It is upon the development of sympathy that Spencer finally places the conciliation of egoism and altruism.

CHAPTER V

INDIVIDUAL VERSUS COMMUNITY

Means of Social Control Propounded by Ancient Chinese Thinkers

While Chapter II on the *Community versus Individual* with the *Factors and Apologists of Social Unity in the Ancient and Mediæval West*, for illustration, dealt with the domination of the community over the individual, this chapter is to expound the attempt of the individual to dominate over the community. With the *Means of Social Control Propounded by Ancient Chinese Thinkers*, for illustration, we are going to trace how the same community produces diverse types of mind. Amidst the same circumstances different individuals in their intellectual endeavour may have the same aim in view. The diverse stimuli discharged from such surroundings as full of chaos and turmoil as those in ancient China, will in the long run call forth different responses on the part of individual human organisms. In the course of development different outlooks of life and the world are made up. By looking at the same aim from different standpoints and approaching it from different routes, they formulate different attempts to solve the same problems. The most significant problem immediately confronting ancient Chinese thinkers during the ante-Ch'in period (722–221 B.C.) was not, What is the ultimate reality underlying the phenomenal world as in the case with ancient Greeks? but, How to precipitate order out of chaos in the existing society? Social order was therefore the end, to which they undertook to seek for adequate means—means of social control.

Prior to that period, the rulers had pursued certain ways of government, and the social order of the people had rested upon definite bases. It was not until these bases of social order came to be challenged and political instruments of ancient kings seemed to prove inefficient or out-of-date, that prophets arose to weaken the disruptive forces that had crushed the community into so many small groups, incompatible and incoherent. With such scattered pieces of threads they aimed to weave a new piece of embroidery through newly invented techniques. To the cultural creeds and social traditions of the immediate past, Confucius and his followers looked for aid, and accordingly accepted many good old ways as adequate means of control. In consequence they considered their own teachings orthodox, and those of others heterodox. Whether they were right or not, we shall first of all treat of certain traditional bases of social order in ancient

China, and from this historical background trace a line of continuity lasting through Confucius, Mencius, and Hsun Tzu, to their adherents of later ages, who have been most responsible for the maintenance of the social order and cultural unity of the Chinese people up to the present moment. Then we shall treat of Lao Tzu, Yang Tzu, Mo Tzu, and Kung-sun Yang, as representative rivals of this historic school. Since it was through the efforts of Kung-sun Yang and some other legists that out of the warring states a unified China—a new social order under the imperial despotism of the Ch'in dynasty—was first evolved, this great legist does deserve more consideration than the rest.

A TRADITIONAL BASES OF SOCIAL ORDER IN ANCIENT CHINA

Regarding the Chinese people of classic antiquity, what has most interestingly attracted the attention of a number of Western Sinologues, is the ever-puzzling problem, whether Chinese civilization was in origin indigenous or imported. In the course of their problem-solving effort more theory than fact has been brought to the fore. The decisive choice between the alternatives, however, has to wait for new lights which future excavations may throw upon the whole problematic situation. Nevertheless, one thing proves sure and certain: At the period of transition from the preliterate to the literate stage during the twenty-seventh century B.C., the Chinese people had already established from time immemorial an agricultural type of civilization along the middle and lower course of the Yellow River. Every day, from dawn till dusk, men tilled their tiny pieces of land in the fields, women left at home spun and wove silk. With large family clans as units they lived in free and to a large extent self-governed village communities clustering round a well, a centre of common interest. To them slavery was negligible; but instead they developed a highly graded patriarchal system of social organization in connection with the institution of feudal hierarchy and the cult of ancestors. The masses have remained agricultural and stuck to the fertile soil ever since.

Usually settled and casually strolling in the valley of the Yellow River and on the plains to the north of the Yangtze region, they loved nature everywhere. Their immediate response to the outer world was filled with the feelings of joy and content, for the expression of which they

would employ their vocal cords and sing. This natural propensity for singing emotional expressions tinged and determined their daily life so deeply that, in their language which had originated in and developed out of their vocal gestures, they used as they do at present a musically tonic and distinctively monosyllable system of speech. Moreover, natural objects always impressed them with vivid images, which they would like to visualize through their artificial effort whenever reminded of them. The result was painting, and painting employed for practical purposes became writing. Thus, the system of Chinese writing originated as pictorial images and developed into an ideographic script, which as a bond of union has for thousands of years furnished the loosely united Chinese with common cultural creeds, social institutions, and historical traditions.

They felt so firmly and affectionately attached to nature that they could not but identify themselves as part of nature. Above was Heaven, below was Earth, and Mankind lived between them. Heaven which gave them sunshine and rain-water but sometimes threatened them with thunderings, lightnings, floods, and famines, they adored with awe; the land on earth to which they owed their food and necessaries, they revered with love; and they regarded with gratitude their ancestors who had left them with shelters, estates, and cattle. Their religious practice was simple and precise with no definite ecclesiastical organization developed. Their myths remained legendary and never turned into sacred scriptures.

All figures that ever appeared in their myths were regarded as tribal chiefs, political rulers, and culture heroes, but never as deities. They were conceived of in terms of teachers who had taught the masses new things contributory to their livelihood. Therefore, each one of them represented a new step of advance in the course of the social evolution and cultural progress of the people. Thus, it is said that the first one, named P'an Ku, with unknown origin, settled cosmic order out of chaos. Then comes the personification of the Three Natural Forces, Heaven, Earth, and Mankind, as Three Rulers. The Heavenly Sovereign recognized heaven and earth, and determined the length of the year; the Earthly Sovereign recognized day and night, and determined the length of the month; and the Human

Sovereign differentiated men from other objects in nature and taught them the art of eating. Finally, there appeared the Nest-dweller (*Yu Ch'ao*) who taught the people how to construct a shelter with trees, and the Fire-borer (*Sui Jên*) who discovered fire and taught the people the art of cooking.

To these personalities ancient Chinese felt obliged. Though they loved nature, yet nature was not always kind to them. They had to struggle for existence with natural catastrophes, wild animals, and war-like tribes surrounding them. Anybody whosoever added any element to the security of their livelihood, to the improvement of their social institutions, and to the progress of their cultural creeds, was no doubt greeted with gratitude and adherence. In memory and with respect were kept these legendary rulers while the actual history they accepted with authority and authenticity began with the record of Fu Hsi, the first of the Five Emperors. "Previous to the Five Emperors," wrote Hsün Tzŭ in the third century B.C., "there is no record; not that there were no worthy men, but because of the length of time intervening."[1]

Fu Hsi invented nets and traps for fishing and hunting, and bred the six domestic animals. To harmonize the singings of the people he invented a harp with twenty-five strings. To maintain social order he created the institution of marriage and taught the matrimonial ceremony. He governed with five ministries, and in order to describe the structure of the universe, expound the principles of its origin and development, and explain the relations between the Three Natural Forces, he constructed the Eight Diagrams.[2] According to him, Heaven, Earth, and Mankind

[1] *Works*, H. H. Dubs' tr., v, 8.

[2] The Eight Diagrams (八卦), as ascribed to the construction by Fu Hsi, formed the foundation of the later three treatises on the problem of change and being—*Lien Shan* (連山), *K'uei Ts'ang* (歸藏), and *Chou Yi* (周易). Among these so-called *Three Changes* (三易) only the last has been preserved in the *Book of Changes*. It is one of the Five Classics accepted as canonical since the time of Emperor Wu (140–87 B.C.) of the Han dynasty, and the understanding of it is the key to ancient Chinese metaphysics. The Five Classics are: The *Book of Changes* or *Yi King* (易經), *Book of Odes* or *Shih King* (詩經), *Book of History* or *Shu King* (書經), *Book of Rites* or *Li Ki* (禮記), and *Spring and Autumn* or *Ch'un Ch'iu* (春秋). The last of these was written by Confucius, the rest, by unknown authors but edited by him.

are three forces in nature, intended by their harmonious co-operation to make a happy and flourishing world; and it is ceremonial rites and music that function as the most efficient and endurable linkings of them. Whether Fu Hsi did initiate this idea and carry it into practice, ancient rulers in China particularly preferred to employ rites (禮)[1] and music (樂)[2] as instruments of government and as means of social control.

The next ruler named Shên Nung represented a further stage of development—the completion of agriculture and the beginning of commerce. He invented the plough, and taught the methods of tillage and the plantation of five kinds of grain. He introduced the use of salt, and advocated the use of herbs for medical purposes. Finally, he instructed the people to do business transaction at markets during day-time.

A period of more than five hundred years had elapsed before Huang Ti or Yellow Emperor (2698–2599 B.C.) ascended to the throne. It was during the reign of this ruler that the Chinese people entered definitely into the literate stage and passed from tribal to national organization. Therefore the *Historical Records* (*Shih Ki*) completed about 100 B.C. by Ssŭ-ma Ch'ien deemed it legitimate to open with the record of him. Among the hitherto warring tribal chiefs he managed to maintain peace; against the overwhelming Huns to the north he defended the people; and finally, by suppressing the disturbances caused by Ch'ih Yu, he won voluntary submission from the chieftains and united the scattered tribes into an empire. Distinguishing themselves as the people of the Middle Kingdom from the surrounding "barbarians" as ancient Greeks and Romans would have done, the Chinese greeted him as the "Son of Heaven" and "Lord of the Yellow Earth" governing and protecting the "Black-haired People".[3] The emperor invented carts, ships, bows, arrows, and the "south-pointing car" or compass, with which he defeated his

[1] 禮. [2] 樂

[3] Possibly on account of their cult of Heaven the Chinese cherished the idea that Heaven reigns and the monarch rules as appointed by Heaven whose will is expressed through the opinion of the masses. Hence they expected every ruler to live up to be the "Son of Heaven" (天子). The first ruler who established his imperial sway in such a country as paved with yellow soil, they naturally preferred to call "Yellow Emperor" (黃帝)

enemies. He built an astronomical observatory; appointed the first court historian; started the science of strategy, the art of calculation, and the use of weights and measures; and instituted music and ceremonies with burial rites in particular. The beginning of sericulture was ascribed to his empress Lo Tsu; the invention of ideographic characters or hieroglyphs, to his minister Ts'ang Chieh.

Thus, full of wisdom and power the Yellow Emperor distinguished himself largely with military exploits and cultural contributions. Yao (2357–2258 B.C.) and Shun (2255–2208 B.C.), the last two of the Five Emperors, were famous rather for their moral personality, virtuous conduct, and benevolent government. If culturalism began with the Yellow Emperor, moralism must have taken its start from Yao and Shun, the two ideal patterns of sage-kings so much yearned after by Confucius and his followers. Benevolent, intelligent, frugal, and industrious as he was reputed to be, Yao made an astronomical determination of hours and seasons, and regulated the hard labours of agriculture. For the security and prosperity of his loyal subjects, he had to wage wars against the Miao tribes in the south, from whom, however, the so-called "five punishments"[1] were derived, though not actually enforced. Thus marks the beginning of legal thought in ancient China which primarily centred around the problem of penalty, the nature and purpose of punishment.

Towards the close of his life, Yao, having realized that his son, Tan Chu, unlike him, was worthless, selected Shun as his successor to the throne since the latter had been well known throughout the empire for his filial piety, fraternal regard, wisdom, and industry. In so doing, Yao initiated the doctrine of elective sovereignty. After he died and the three years' mourning was over, when Shun was about to transfer the throne to Tan Chu, the feudal princes and the masses of people unanimously appealed to him for government and judgment. This general consensus he regarded as "the decree of Heaven" wherefore he ascended to the throne as Son of Heaven. Thereupon he organized the administrative system with nine ministries.[2] Moreover,

[1] The five great inflictions were: Branding on the forehead, cutting off the nose, cutting off the feet, castration, and death.

[2] The nine ministries were: Water and Land, Agriculture, Education, Justice, Industry, Forestry, Worship, Music, and Imperial Message.

as leader in the cult of Heaven and of ancestors, he "regulated the five classes of ceremonies, with the various articles of introduction—the five symbols of jade, the three kinds of silk, the two living animals and the one dead one".[1] The ancient ruler in China as elsewhere acted like a priest-king. But his motive to employ ceremonies as a political instrument was primarily utilitarian. Thus, on describing the origin of ceremonies, the *Book of Rites* states[2]:

> The ancient kings made use of the stalks and the tortoise-shell; arranged their sacrifices; burned their offerings of silk; recited their words of supplication and benediction, and made their statutes and measures. In this way arose the ceremonial usages of the states, the official departments with their administrators, each separate business with its own duties, and the rules of ceremony in their orderly arrangements.

To express the meaning of the ceremonies in which it was to be used, and to give expression to the performance of the five cardinal constituents of moral worth,[3] they adapted music since they had found pleasure in music and recognized its usefulness in improving the nature of the people. It is interesting to find that eminent rulers in ancient China were either great musicians themselves or patrons of music. The earliest great poet and musician of China was Shun. With his reign the music of Shao[4] began. His minister of music, K'uei, composed musical pieces to be employed by the feudal princes as an expression of the royal approbation of them. He himself made the lute with five strings, and with it was accompanied in "the South Wind Song" (*Nan Fêng Ko*) he had composed, with a view to solidifying the order of the people by celebrating therein the influence of rulers and parents as being like that of the south wind. It may be regarded as the first national anthem China has ever had, which runs[5]:

> The South wind's genial balm
> Gives to my people's sorrows ease;
> Its breath amidst the season's calm,
> Brings to their wealth a large increase.

[1] *Shu King*, J. Legge's tr., pt. II, 3.
[2] *Li Ki*, Bk. VII, sec. IV, 1.
[3] Referring to the five human relations, between ruler and subject, parent and child, husband and wife, elder and younger brothers, and friends.
[4] 韶.
[5] v. *Li Ki*, Bk. XVII, sec. II, 1, 2.

Besides rites and music he employed laws and punishments as subservient to them, and introduced an educational element into the purpose of penalty. Therefore, the *Book of History* states [1]:

> He exhibited to the people the statutory punishments, enacting banishment as a mitigation of the five great inflictions, with the whip to be employed in the magistrates' courts, the stick to be employed in the schools, and money to be received for redeemable offences. Inadvertent offences and those which could be ascribed to misfortune were to be pardoned, but those who transgressed presumptuously and repeatedly were to be punished with death.

It was his minister of justice Kao Yao who systematically maintained virtue to be the foundation of law and government, and advocated the principle of government by example, that cultivation of personal virtue is the greatest thing for the ruler in government. This self-cultivation, according to Kao Yao, lies in knowing and choosing men for office, and in giving repose to the people. As to how to discriminate worthy men, he propounded his theory of nine virtues, while once talking with Yu and Earl Yi (both being then Shun's ministers also), in the emperor's presence, as follows [2]:

> If anybody's conduct exhibits nine virtues on the one hand, and if we speak of his possession of virtues on the other, it means that he actually does such and such virtuous actions. He is forgiving but stern; gentle but firm, blunt but respectful, disciplined but courteous, docile but resolute; straightforward but genial, simple but uncorrupt, rigid but genuine, determined but righteous. A display of these virtuous qualities as a rule implies a permanent good luck. He who manifests three of them day and night, deserves the administration of a family, he who daily practises with rigidity and reverence six of them, deserves the administration of a state as its faithful servitor. If such persons be gathered into governmental service, all the nine virtues will be employed in office. The officials will be respectful and diligent, and will never teach vices or tricks. If there be no such persons occupying such offices, we may call such a state of things the confusion of Heaven's affairs. Will Heaven not punish the guilty, applying the five punishments in five ways?

[1] Shu King, Pt. I, cf. ii, 3, ——, *Historical Records*, ii (new trans.). Most of this passage was already translated into English by H. J. Allen in his *Early Chinese History* (pp. 51–2), but the translation in the light of the Chinese original is incorrect in many points.

Thus far we have observed four main means of control propounded and employed by ancient rulers, namely: rites, music, laws, and punishments. As well brought out in the "Record of Music", the ancient kings, being watchful in regard to the things by which the mind was affected, instituted "ceremonies to direct men's aims aright; music to give harmony to their voices; laws to unify their conduct; and punishments to guard against their tendencies to evil. The end to which ceremonies, music, punishments, and laws conduct is one; they are the instruments by which the minds of the people are assimilated, and good order in government is made to appear".[1] By this time the traditional bases of social order in ancient China were well founded with their content in culturalism and process in moralism. The pendulum of the political and social history of the people has swung between moralism and legalism while a continual series of protests have been made behind the curtain by many an eminent thinker of morality against legality.

Like Yao's son Tan Chu, Shun's son Shang Chün was degenerate. Therefore Shun recommended to Heaven Yu who, while minister of water and land in Shun's government, had succeeded after thirteen years' labour in regulating the waters caused by the Deluge. After Shun died and the three years' mourning was over, Yu also attempted to transfer the throne to Shun's son, but the feudal princes all turned to him for government. During his reign (2205–2197 B.C.) he codified the famous Great Plan[2] with its Nine Categorical Divisions,[3] in which besides principles of metaphysics and ethics he set forth patterns of political morals for any ruler who would attempt to render his kingdom tranquil and his subjects prosperous. As his successor to the throne he had selected Kao Yao, but he survived him; therefore he selected Yi. Yet as Yi had served him only for a short while, and moreover as his son Chi was wise and able, upon his death Yi dared not accept his decree and the princes all went over to Chi. With the ascendance of Chi elective sovereignty ceased, and the Hsia dynasty (2205–1767 B.C.) was established on the hereditary basis.

[1] "Record of Music". *Li Ki*, Bk. XVII, sec. 1, 3.

[2] 洪範 [3] 九疇

While the throne was thenceforth passed over from one generation to another along the same family line, the people still reserved the right to call any tyrant to account. As soon as the later rulers of the Hsia dynasty became corrupt and degenerate, the princes in local districts began to rebel. Chieh (1818–1766 B.C.), the last tyrant of the dynasty, was finally overthrown and sent to exile by T'ang after a series of battles. Descended from Shun's minister of education, Ch'i, T'ang had practised virtue and won the loyal homage of the princes. He justified his rebellious action on the "appeal to Heaven" while declaring that for the many crimes of the sovereign of Hsia Heaven had given him the chance to destroy the tyrant, and that his ultimate purpose was "to console the people and punish the wicked". He thus implicitly assumed the title of "the minister of Heaven" as later on so much admired by Mencius[1]. The legitimate rebellion staged against the House of Hsia by T'ang did stamp its right, both legal and moral, as a check to arbitrary power, upon the mind of the Chinese people with such convincing moral bases that it has converted practically all eminent political theorists to anti-monarchism.

The Yin or Shang dynasty (1766–1122 B.C.) established by T'ang the Successful, however, was doomed to the same fate met by the Hsia dynasty when its last ruler, Chow (1154–1122 B.C.)—a tyrant worse than Chieh—began to indulge in women and wine and "lost the hearts of the people". The princes revolted from him and went over to Ch'ang, Earl of the West, who had followed the closest example of Yao and Shun in practising virtue and benevolent government. While he had been too loyal to the House of Yin to revolt, after his death (1134 B.C.) his son and successor Fa started the revolutionary campaign against Chow. With the consensus of the eight hundred princes who met him on the way of his expedition, he proclaimed his action to be "the fulfilment of Heaven's penalty", making in his Great Declaration[2] practically the same appeal to Heaven as T'ang the founder of the Yin dynasty had done six hundred years before. The tyrant Chow was in the long run compelled to commit suicide amidst enemies, whereupon Fa assumed the title King Wu and

[1] Wanlu, J. Legge's tr., Bk II, pt II, chap VIII, 2.

[2] 泰誓

set up the Chou dynasty (1122–256 B.C.). To his departed father Ch'ang he attributed the title King Wên; to his younger brother Tan, the fourth son of his father, the title Duke of Chou, who later on played the most important rôle in laying down the moral, political, and cultural foundations of the House of Chou. To Confucius, these three figures—Wen, Wu, and Duke of Chou—were the best rulers of his immediate past while Yao, Shun, and Yü were the Sage-Kings of the Golden Age in the remote antiquity.

The traditional means of control Duke of Chou fairly accepted. He constructed the *Rites of Chou* or *Chou Li*, and among the "six liberal arts" in the school curriculum he assigned—rites, music, writing, archery, charioteering, and mathematics—he laid special emphasis upon the first two When King Wu died (1115 B.C.), his son and successor, later King Ch'êng, being a minor, Duke of Chou had to act as regent for seven years, during which time he governed the empire so well that later even during the reigns of King Ch'êng and his successor King K'ang, nobody ever violated any law and no punishment was ever applied for more than forty years. However, just as the golden days of David and Solomon could not last forever, the later rulers of the House of Chou could hardly continue the virtue and ability of their forefathers. King Mu (1001–947 B.C.), for instance, while lacking in the way of the earlier kings, was particularly fond of military manœuvres and legal discourses Instead of cultivating his personal character, he ordered the Marquis of Lü in 952 B.C. to prepare a penal code for the regulation of the people, although, later known as "Lü's Punishments"[1] with the promotion of virtue as the end of penalty, it has entered into the penal code of every subsequent dynasty. To make the matter worse, his immediate successors could neither maintain militarism on the frontiers nor enforce legalism at home, and what was still more, their personal degeneration went from bad to worse. The imperial sway of the Chou dynasty was at its ebb. When the Dog Barbarians of the Jung tribes sacked the capital Hao (Sianfu, Shensi Province), King Yu, the last tyrant of the Western Chou (1122–770 B.C.), could not but meet the fate of the last Western Roman Emperor.

[1] 呂刑

The sack and invasion by the Jung tribes—which was the first "Barbarian Invasion" in Chinese History—did not put an end to the House of Chou, however. To the royal rescue Duke Hsiang of Ch'in rushed, and drove the barbarian invaders out of the Middle Kingdom; to his aid came Marquis Wen of Chin and Duke Wu of Wei. Meanwhile, there came together a number of feudal princes still loyal to the waning dynasty, and hailed Prince Yi Chiu—who had been sent to exile by his tyrannical father—as King P'ing. Immediately upon his ascendance to the throne the new king moved east from the ruins of Hao to the new capital Loyang (Honan Province). In reward to Duke Hsiang of Ch'in for his military prowess and loyal service, the new king alienated to him the territory of the Royal House west of Mount Chu,[1] whereby the originally tiny fiefdom of Ch'in expanded and with the consent of the king its rulers thenceforward acquired new territories at the expense of the lands inhabited by the neighbouring barbarians. With the reign of King P'ing the history of the Eastern Chou (770–256 B.C.) began.

In the reign of King P'ing the royal prestige of the Chou dynasty began to fall before the feudal princes vying with one another for supremacy. From the forty-ninth year of his reign (722 B.C.) the Spring and Autumn period started. From it Confucius' *Spring and Autumn* dated on purpose to interpret with his native state of Lu as the contiguous centre the "rise and fall" of the various incompatible states.[2] Gone were the days of the ancient kings! Feudalism, having culminated during the Western Chou, began to decline with the Eastern one. But the epoch of China's earliest chivalry now appeared on the stage. The time-crowned empire became the playground where there were going to contest for championship the various powers of the world then known to the Chinese.[3]

[1] To the west of Saanfu.

[2] Confucius started, in 481 B.C., writing the *Spring and Autumn* which dated from the first year of Duke Yin's reign in the State of Lu, that is, 722 B.C.

[3] There were about fourteen important states during the Spring and Autumn period, namely: Cheng (鄭), Ch'en (陳), Ch'i (齊), Chin (晉), Ch'in (秦), Ch'u (楚), Lu (魯), Sung (宋), Ts'ai (蔡), Ts'ao (曹), Wei (衛), Wu (吳), Yen (燕), Yueh (越).

It was a lively but lawless era, when the ruler was himself the state and might was right!

No sooner does the curtain open than we are introduced to the scenes of the age of the Five Lords Protector[1] (685–591 B.C.)—namely, Dukes Huan of Ch'i (685–643), Hsiang of Sung (650–637), Wen of Chin (636–628), Mu of Ch'in (659–621), and King Chuang of Ch'u (613–591). Each of them in his turn assumed the presidency over the inter-state league, avowing his loyalty to the House of Chou,[2] and proclaiming his responsibility to maintain "order" under Heaven by settling inter-state conflicts and differences by laws, and, if necessary, by arms. This way to order through inter-state agreements and military interventions was opened up by Kuan Chung (708–645 B.C.), prime minister of Duke Huan of Ch'i. A great political economist and "international jurist" as he was, he practised as a great statesman what he taught in successfully winning his state economic and cultural prosperity, the neighbouring states real security against barbarian invasions and foreign encroachments, and his lord Duke Huan the first presidency over the inter-state league, and also the reputation of loyal service to the House of Chou. Following the death of Kuan Chung, however, there was no strong man in the State of Ch'i. The attempt at the same way to order was repeated by rulers of other states. But all trials were errors: no real order was evolved.

While Kuan Chung was a thinker as well as a statesman, it was not until the time of Confucius that Chinese philosophy could deserve to be called the "love of wisdom".[3] After the Lords Protector played their parts, five "lovers of wisdom" appeared on the stage, each playing his unique rôle in searching for the right way to order: Lao Tzŭ from the State of Ch'u found inactionism; Confucius from the State of Lu, moralism; Mo Tzŭ (probably) from the same state, altruism; Yang Tzu (probably) from the State of Wei, egoism; and Kung-sun Yang from the same state, legalism. We are thereby ushered into the scenes of the age of the

[1] 五霸

[2] The rulers of Ch'u had disregarded the House of Chou since the abrogation of the title of king in 740 B.C.

[3] Cf. Hu, Shih, *Outlines of the History of Chinese Philosophy*, vol. 1, p. 39.

Five Prophets (570–338 B.C.), which it is our task to narrate and expound. Extending from the birth of Lao Tzŭ to the death of Kung-sun Yang, it was an epoch of the bloom of China's earliest intellect, when knowledge was power and wisdom was virtue!

All of them held high positions in government with a view to carrying their systems of teachings into practice; and all but Kung-sun Yang exerted their efforts in vain. Nobody but a number of youngsters turned ears to them as acknowledged disciples. They died with a sigh, though with hope. Even Kung-sun Yang himself, though he had succeeded in persuading Duke Hsiao of Ch'in to adopt his ideas, had to die a martyr for his way to order. The era of Spring and Autumn (722–404 B.C.) having been succeeded by that of the Warring States (403–222 B.C.), by the year 318 B.C. all rulers of the remaining states had proclaimed themselves kings with no more House of Chou in view. The vast territory of the State of Chin having been partitioned in 376 B.C. by its three noble families, Han, Chao, and Wei (better known as Liang-wei as distinguished from the older Wei) and the dukedom of Ch'i having been usurped by T'ien Ho in 410 B.C., these four new and the three old, Ch'u, Ch'in, and Yen, became known as the Seven Powers[1] among the remaining states while the Imperial House was left more and more in obscurity. The way to order continued indispensable, interesting, and therefore being looked for. But, experiment after experiment, failure overwhelmed success.

Gone were Kuan Chung and Duke Huan! Meantime there appeared on the stage two merry-andrews, each singing his song of order and unity. They were Su Ch'in and Chang Yi, two personally good friends and fellow disciples of the same master, Kuei-ku Tzŭ—or Philosopher of the Devil Valley—but two diametrically opposed adversaries in current inter-state politics which was to them nothing but a game of business speculation. After having mastered the art of debating and persuasion, they started their careers as itinerant diplomats and inter-state politicians, each attempting to bring a new political order out of the warring states according to his way through tactics and tricks. Ch'in,

[1] 七雄.

while situated on the western frontiers, continued supreme among the states; therefore, to guard against the aggressive, semi-barbaric people of Ch'in, in the year 333 B.C., Su Ch'in succeeded in cementing the Perpendicular Union[1] of the six states east of Ch'in from Yen in the north up to Ch'u in the south by convincing them of their common danger and common interest.

While the Perpendicular Union began to collapse upon Su Ch'in's death in the year following its formation, in reaction against it the State of Ch'in had to work out some measures to secure herself. Thereupon came Chang Yi, the man of the hour to the need of King Hui of Ch'in. To break up the union, he advised the king to adopt the plan of making Horizontal Alliances[2] with the six states to the east, each separately, which he finally carried out in 311 B.C., after he had convinced everyone of them of the exceeding advantage in alliance with Ch'in and also demonstrated it through give-and-take politics. King Hui lived not long enough to see the complete success of Chang Yi's plan while Chang Yi had to leave for Liang-wei on account of the new king's disapproval of his policy and personality. In consequence the Horizontal Alliances fell to pieces within a year. Thenceforward the pendulum of subsequent inter-state politics swing between "federalism" and "imperialism", between the Perpendicular Union and the Horizontal Alliances; whereas the policy pursued by Ch'in alone continued the same. With Kung-sun Yang's positive policy of "enriching the country and strengthening the army" as the basis of internal administration, and with the idea of "annexing the nearest states one after another"—which Fan Tsu suggested to King Hsiang in 270 B.C.—as the kernel of foreign policy, the State of Ch'in very soon became indomitable enough to annex the remaining territory of the House of Chou in 256 B.C., and completely subjugate the rest of China in 221 B.C. The ante-Ch'in period—covering the era of Spring and Autumn and the era of the Warring States—ends with this. So did feudalism end with the culminating success of the legalism, militarism, and imperialism of the State of Ch'in.

[1] 合縱. [2] 連衡.

To come back to the age of our Five Prophets (570–338 B.C.), the centre of our interest. Amidst the same chaotic circumstances they set out to seek the right way to order. Upon their return they gave different reports, propounding different means of social control Because they had responded to different phases of the same environment. The blue heaven, the white sun, the yellow earth, the yellow streams, and the green hills, had remained the same to them since the golden days of the Five Emperors The masses of the black-haired people, though scattered among the warring states, remained a unity, and that unity was not only racial and geographical, but also traditional, religious, social, and cultural, if not political From the past they inherited the same customs and traditions as usual Their existing social institutions were all alike based on patriarchalism and feudalism. To Heaven and Earth they still cherished the spirit of reverence They never forgot to practise the cult of ancestors. Above all, they kept up common cultural tradition bequeathed by their forefathers They spoke the same tonic and monosyllabic language, though with slight local variations, and they wrote the same ideographic script. All of them held in high esteem those historical documents of the ancient kings, records of rites, collections of odes, fragmentary pieces of work on art, literature, science, and philosophy, as left to them by forgotten authors. In one word they were in unity, one and all.

But unity without order! What were the sources of all trouble then?—what constituted the disruptive forces that had torn the previous order into the existing chaos?—or, in short, what was the trouble with the Chinese? Then, what would be the right way to order? and where to find it? The prophets undertook to answer these questions and solve these problems. As to the way of salvation, they looked neither to any "messianic kingdom" nor to any "western heaven" nor to any "universal commonwealth of proletarian equals". They firmly clung to this world of humanity. What they aimed at, was to re-establish an orderly empire under Heaven and upon Earth, by transforming the existing community through adequate means of social control.

B MORALISM THROUGH CULTURAL CREEDS—CONFUCIUS AND HIS ADHERENTS

1 *Traditional Moralism—Confucius*

Ways of Ancient Kings: Morals and Music—The philosophic prophet who prided himself upon being "a transmitter and not a maker, believing and loving the ancients",[1] and therefore devoted his intellectual life to the gospel of traditional moralism, was K'ung Ch'iu or Confucius (551–479 B C). Born in the State of Lu, the fief bestowed on the Duke of Chou by King Wu, where traditional cultural and moral creeds had been better esteemed and observed than elsewhere, he arose as the greatest intellectual giant and social and moral reformer of his time. As he said towards the close of his life: "At fifteen, my mind was bent on learning; at thirty, I stood firm; at forty, I had no doubts; at fifty, I knew the decrees of Heaven; at sixty, my ear was an obedient organ for my reception of truth; at seventy, I could follow what my heart desired, without transgressing what was right."[2]

Holding public office during the reign of Duke Ting of his native state for several times, he could hardly find his way to order adopted and observed; wherefore he decided in 497 B C to retire from political life and spend the rest of his life in teaching disciples, editing classical literatures, and preaching his new gospel among various states outside. Nowhere could he find any ruler to adopt his view. Contemporary statesmen appeared in his eyes merely "so many pecks and hampers, not worth being taken into account"[3]; strange doctrines were prevailing everywhere; and old good ways were disregarded by rulers and masses. In personal character he was, as described by one of his distinguished disciples, Tzŭ Kung, benign, upright, courteous, temperate, and complaisant, in dealing with people as well as getting information,[4] thus setting a permanent inspiring pattern of man to his day and subsequent ages. It was only two years before his death

[1] *Analects*, J. Legge's tr., VII, I
[2] Ibid., II, IV
[3] Ibid., XIII, XX, 4
[4] Ibid., I, X, 2

when he wrote the *Spring and Autumn*, of which Mencius made the following remarks[1]:

> Again the world fell into decay, and principles faded away. Perverse speakings and oppressive deeds waxed rife again. There were instances of ministers who murdered their sovereigns, and of sons who murdered their fathers. Confucius was scared thereby, and made the "Spring and Autumn." What the "Spring and Autumn" contains are matters proper to the emperor. On this account Confucius said, "Yes! It is the 'Spring and Autumn' which will make men know me, and it is the 'Spring and Autumn' which will make men condemn me."

By interpreting therein the rise and fall of the body politic, he made the history of the past generations a guide and mirror to the present, and after the work appeared, "rebellious ministers and villainous sons were struck with terror."[2]

Naturally, he found his ground of appeal in "the way (*tao*) of the ancient kings"—Yao, Shun, Yu, T'ang, Wên, Wu, and Duke of Chou—whom he adored as conservers of the cultural assets and moral heritage of the Chinese race. He said, "If a man in the morning hear the right way, he may die in the evening without regret"[3]; and this way had been particularly well preserved and developed by the early rulers of the Chou dynasty. Therefore, he said: "Chou had the advantage of viewing the two past dynasties. How complete and elegant are its morals and letters! I follow Chou!"[4] He yearned after Duke of Chou so affectionately that he once even said with a sigh: "Extreme is my decay. For a long time, I have not dreamt, as I was wont to, that I saw Duke of Chou."[5] Likewise, he admired Kuan Chung for his support of Duke Huan of Ch'i in unifying and rectifying the country and in keeping the barbarian invaders away in the desert. But for Kuan Chung, he said, all the people of the Middle Kingdom would have sunk to the state of crude barbarism[6]. If such were the case, no wonder that from the very beginning of his intellectual effort he was a traditionalist, monarchist, conservative, and reactionist. Though he had traced the order of things to the history of antiquity, yet he thought

[1] *Works*, Bk. III, pt. ii, chap. ix, 7–8.
[2] *Analects*, IV, viii.
[3] Ibid., VII, v.
[4] Loc. cit., II.
[5] Ibid., III, xiv.
[6] Ibid., xiv, xviii, 8.

something positive must be done as remedial measures for the present, which he could fulfil in no way other than leaving his three thousand disciples with constructive teachings as later on collected by them in the *Analects*. For the way to order, he advocated rites (*li*) and music (*yo*) as means of social control; and the domestic and political institutions as its agencies with education as the ultimate technique.

"When affairs cannot be carried on to success, rites and music will not flourish. When rites and music do not flourish, punishments will not be properly awarded."[1] "It is by the odes that the mind is aroused; it is by the morals[2] that the character is established; it is from music that the finish is received."[3] A great musician as he himself was, Confucius did not leave any specific discourses on music in its relation to rites and morals. But there is no doubt about it that he must have been well versed in such challenging passages as were contained in the "Record of Music",[4] without which he could not have been so much convinced of the efficacy of rites and music, when

[1] Op. cit., xiii, iii, 6.

[2] The Chinese word *li* (禮) as used in the days of Confucius evidently has two implications, rites and morals, and so each will be adopted in its proper cases.

[3] *Analects*, viii, viii.

[4] The knowledge of music leads to the subtle springs that underlie the rules of propriety. He who has apprehended both ceremonies and music may be pronounced to be a possessor of virtue. Virtue means realization in one's self.

Sociality and union are the sum of music, difference and distinction, that of ceremony. From union comes mutual affections, from difference, mutual respect. Where music prevails, we find a weak subjection, where ceremony prevails, a tendency to separation. It is the business of the two to blend people's feelings and give elegance to their outward manifestations.

Music comes from within, and ceremonies from without. Music, coming from within, produces the stillness of the mind; ceremonies, coming from without, produce the elegancies of manner. The highest style of music is sure to be distinguished by its ease; the highest style of elegance, by its unpretentiousness.

Let music attain its full results, and there would be no dissatisfactions in the mind; let ceremony do so, and there would be no quarrels.

The occasions and forms of ceremonies are different, but it is the same feeling of respect which they express. The styles of musical pieces are different, but it is the same feeling of love which they promote. The essential nature of ceremonies and music being the same, the intelligent kings, one after another, continued them as they found them. The occasions and forms were according to the times when they were made; the names agreed with the merit which they commemorated. . .

working hand in hand, as the strongest bonds which hold the multitude together. The most weighty stress was laid upon rites and morals, however.

Virtues and Motives of Conduct.—If a man be without the virtues proper to humanity, what has he to do with morals and music?[1] Fortunately, "man is born for uprightness."[2] "By nature, men are nearly alike; by practice, they get to be wide apart."[3] In such vague terms, Confucius seemed to have cherished the conception of human nature as originally good and of differences in character as due to habit-formation. His theory of three virtues, however, is very definite from the psychological standpoint: (1) wisdom as the intellectual virtue, (2) benevolence as the emotional one, and (3) courage as the volitional one. Among these three the highest one inclusive of the other two—the virtue of virtues—is benevolence or *jên*[4] which forms the all-embracing theme of the teachings of Confucius.

Psychologically, these virtues function as motives of social conduct as judged to be either legal or moral or both. They form the beginnings and bases of the character of a man, which is revealed in what he does, what mark his motives, and examine in what things he rests.[5] "He who practises virtues must have neighbours,"[6] and therefore by his neighbourhood we can tell if he is really virtuous.[7] The ultimate motive of conduct is benevolence or *jên*. As to what is *jên*, we find some illuminating hints out of several dialogues between him and some of his disciples:[8]

> When Yen Yuan asked about *jên*, he said, "To subdue one's self and return to propriety, is *jên*."

Therefore in the ancestral temple, rulers and ministers, high and low, listen together to the music, and all is harmony and reverence; at the district and village meetings of the heads of clans, old and young listen together to it, and all is harmony and deference. Within the gate of the family, fathers and sons, brothers and cousins, listen together to it, and all is harmony and affection. Thus in music there is a careful discrimination of the voices to blend them in unison so as to bring out their harmony. There is a union of the various instruments to give ornamental effect to its different parts, and these parts are combined and performed so as to complete its elegance. In this way fathers and sons, rulers and subjects are united in harmony, and the people of the myriad states are associated in love. Such was the method of the ancient kings when they framed their music. (*Li Ki*, Bk. XVII, sec. 1, 6, 16, 17, 18, 20, 28.)

[1] *Analects*, III, iii
[2] *Ibid.*, VI, xvii
[3] *Ibid.*, XVII, ii
[4] 仁
[5] *Ibid.*, II, x
[6] *Ibid.*, IV, xxv.
[7] *Ibid.*, IV, i
[8] *Ibid.*, XII, i, ii; iii, xxii

When Chung Kung asked about *jên*, he said, "It is, when you go abroad, to behave to everyone as if you were receiving a great guest, to employ the people as if you were assisting at a great sacrifice, not to do to others as you would not wish done to yourself, to have no murmuring against you in the country, and none in the family."

When Fan Ch'ih asked about *jên*, he said, "It is to love all men."[1]

Jên is then more than mere fellow-feeling: It is self-avowing, courageous sympathy. "Fine words and insinuating appearances are seldom associated with true benevolence (*jên*)."[2] Action is what matters, success is a secondary consideration. To see what is right and not do it, is want of courage, lack of benevolence Thus, the essence of *jên* is sympathy with wisdom, courage, loyalty, and disinterestedness, as attributes It is the basis of "an all-pervading unity of the doctrine"[3] of Confucius

The cultivation of virtues, the fulfilment of the creed of *jên*, is the way whereby the individual builds his character and the country keeps its order. He who succeeds in doing this, Confucius called *Chün Tzŭ*[4] or "the superior man"—the man rising above the ordinary multitude. Setting up *Chün Tzŭ* as the highest concrete ethical ideal of the individual, he always taught everybody to live up to it. Accordingly, he enumerated certain practical morals or rules of conduct. First, as to the principles of self-cultivation, he said: "The superior man must be grave in order to win any veneration, and solidify his learning For this purpose, he must (1) hold faithfulness and sincerity as the first principle; (2) have no friends not equal to himself; and (3) not fear to abandon his faults if he has any"[4] Then as to the rules for the full mastering of character, he said: "(1) Let the will be set on the path of duty (*tao*) (2) Let benevolence (*jên*) be accorded with (3) Let relaxation and enjoyment be found in the polite arts."[5]

Of these norms of conduct, "the superior man acts before he speaks, and afterwards speaks according to his actions."[6] In so doing, he wins no gain and avoids no risk. He is always modest enough to overstep no limits He

[1] Op cit, i, iii. [2] 一貫之道 [3] 君子.
[4] Ibid., i, viii [5] Ibid, vii, vi [6] Ibid, iv, xxii.

can adapt himself to all difficult circumstances wherein he can make himself an example to the masses. In his food he does not seek "to gratify his appetite, nor in his dwelling-place does he seek the appliances of ease; he is earnest in what he is doing, and careful in his speech; he frequents the company of men of principle that he may be thereby rectified — such a person may be said indeed to love to learn".[1] His object is truth. He is anxious lest he should not get truth, but not lest poverty should come upon him.[2] For an example of the superior man Confucius accordingly named Tzŭ Ch'an,[3] of whom he said: "He had four of the characteristics of a superior man: in his conduct of himself, he was humble; in serving his superiors, he was respectful; in nourishing the people, he was kind; in ordering the people, he was just."[4]

Self-cultivation or practice of private morals is, according to Confucius, the root and social conduct is the fruit. This is the sequent order in the course of life—of "the great learning" during lifetime. The various steps in the course of the great learning were systematically organised by Tsêng Tzŭ, in *The Great Learning*, one of the most celebrated disciples of Confucius and perhaps the most important one in the continuation and development of his teachings. Believing that moulding character is better than checking action, Tsêng Tzu every day in his life would introspect himself on three points: "Whether, in transacting business for others, he may have been not faithful; whether, in associating with friends, he may have been not sincere; whether he may have not mastered and practised the instructions of his teacher".[5] The goal of the route of the great learning is the attainment of the *summum bonum* or the highest good[6] in which everyone must (1) "illustrate illustrious virtue",[7] and (2) "renovate the people".[8] In the illustration of illustrious virtue we find personal morals, and in the renovation of the people, social morals, which are

[1] Op. cit., I, xiv

[2] Ibid., xv, xxxii

[3] Tzŭ Ch'an, named Kung-sun Chiao, was the prime minister of the State of Chêng, the ablest and one of the most upright statesmen among Confucius' contemporaries

[4] *Analects*, V, xv

[5] Ibid., I, iv

[6] 至善

[7] 明明德.

[8] 親民

clearly revealed in the following passage quoted from *The Great Learning*[1]:—

> Things have their root and their branches. Affairs have their end and their beginning. To know what is first and what is last will lead near to the Right Way (*tao*).
>
> The ancients who wished to illustrate illustrious virtue throughout the empire, first ordered well their states. Wishing to order well their states, they first regulated their families. Wishing to regulate their families, they first cultivated their persons. Wishing to cultivate their persons, they first rectified their hearts. Wishing to rectify their hearts, they sought to be sincere in their thoughts. Wishing to be sincere in their thoughts, they first extended to the utmost their knowledge. Such extension of knowledge lay in the investigation of things.
>
> Things being investigated, knowledge became complete. Their knowledge being complete, their thoughts were sincere. Their thoughts being sincere, their hearts were then rectified. Their hearts being rectified, their persons were cultivated. Their persons being cultivated, their families were regulated. Their families being regulated, their states were rightly governed. Their states being rightly governed, the whole empire (All-under-Heaven) was made tranquil and happy.

These passages, attributed to Confucius, are supposed to have been handed down by Tsêng Tzŭ as the sequent eight steps in the way to order, for everybody from the Son of Heaven to the masses. Out of them the first four are to illustrate illustrious virtue, the last four to renovate the people. They altogether constitute the right way to the world order—the Great Union (*ta t'ung*) of All-under-Heaven[2]. The Superior Man, in order to attain the ultimate ideal, must practise them, step by step.

For the measure of conduct in both private and public life, the doctrine of the Mean was intimated by Confucius, and later elaborated by his grandson K'ung Chi, better known as Tzŭ Ssŭ, in his work entitled *The Doctrine of the Mean* or *Chung Yung*. Tzu Ssu accepted the dicta of his grandfather precisely, but developed the latter's theory of human nature with more definite terms. For him, the essence of a perfect man consists in his ability to exemplify his own nature derived from the way (*tao*) of Heaven. "What Heaven has conferred is called THE NATURE;

[1] "The Text of Confucius." *The Great Learning*, Arts. 1–5.

[2] 大下大同.

an accordance with this Nature is called THE PATH of duty; the cultivation of this path is called INSTRUCTION".[1] With these axioms the work commences, and Tzŭ Sze therefrom proceeded to unfold the various principles of duty, derived from an analysis of man's moral constitution. It is the kernal of the doctrine that to exemplify the Mean is the basis of the superior man's conduct.[2] In fine, it is the sage alone who can fully do it. If such be the case, it can be logically inferred that the Mean between any two extremes is the common measure of morality and legality.

Educational Function of Domestic and Political Institutions. —If the essence of humanity is uprightness as intimated in his theory of human nature, Confucius well advocated the fulfilment by the ruler of the duties proper to a ruler, by the father of the duties proper to a parent, and by the son of the duties proper to a son.[3] This immediately points to his deontology. His doctrine of duties, however, rests upon a strictly teleological and functional theory of meaning, which is implied in his doctrine of the "rectification of terms".[4] He urgently demanded the coincidence of the name of everything so named with the reality it is named after; and hence the fulfilment by everybody of such duties as implied in the pattern in the same social relation in which he is. Thus, with his logic applied to his ethics, Confucius said: "He who is not in any particular office, should not meddle in plans for the administration of its duties,"[5] and "for a man to sacrifice to a spirit which does not belong to him, is flattery".[6] In his days the way (*tao*) of the ancient kings was not trodden because the clever overstepped the limits of the duties it prescribed while the stupid did not reach them at all. Hence, the current necessity of the correction of names.[7]

> If names be not correct, language is not in accordance with the truth of things. If language be not in accordance with the truth of things, affairs cannot be carried on to success.
>
> When affairs cannot be carried on to success, rites and music do not flourish. When rites and music do not flourish, punishments will not be properly awarded. When punishments are

[1] *The Doctrine of the Mean*,] Legge's tr., I
[2] V, Ibid., XI
[3] 君君, 臣臣, 父父, 子子
[4] Ibid., XI, XXIV.
[5] *Analects*, XII, XI, 1
[6] Ibid., VIII, XIV
[7] Ibid., XIII, III, 6-7

not properly awarded, the people do not know how to move hand or foot.

Therefore a superior man considers it necessary that the names he uses may be spoken appropriately, and also that what he speaks may be carried out appropriately. What the superior man requires is just that in his words there may be nothing incorrect.

The deontology thus placed upon a firm logical basis finds its evident applicability in social life by prescribing duties to five human relationships—affection between father and son, righteousness between ruler and subject, attention to their separate functions between husband and wife, a proper order between old and young, and fidelity between friends. With the three virtues, wisdom, benevolence, and courage, these duties are carried into effect; and Tzŭ Ssŭ proceeded to maintain that, according to Confucius, with sincerity as the ultimate singleness these virtues are practised.[1]

The five relationships imply morals of reciprocal propriety, which everybody must learn and practise throughout his social life. Life is learning and social life is moral education. The root of all further benevolent actions is filial piety and fraternal regard; and the origin of the state as well as other social organizations is the family. It is inside of the family relations that such duties as filial piety and fraternal regard can be learned and cultivated. Filial piety is the all-including rule of conduct, the rule of rules. "A youth, when home, should be filial, and abroad, respectful to his elders. He should be earnest and truthful. He should overflow in love to all, and cultivate the friendship of the good. When he has time and opportunity, after the performance of these things, he should employ them in polite studies."[2] It is the motive of reverence, of gratitude, determining the fulfilment of filial duty that differentiates man's action from animal action in the care for parents.[3] In the light of such a motive, filial piety is "that parents, when alive, should be served according to propriety; that, when dead, they should be buried according to propriety; and that they should be sacrificed to according to propriety".[4] As to the test of filial duty, Confucius said, "While a man's father is alive, look at the bent of his will;

[1] *The Doctrine of the Mean*, xx, 5–9
[2] *Analects*, I, vi.
[3] Ibid., II, vii.

when his father is dead, look at his conduct. If for three years during the mourning period he does not alter from the way of his father, he may be called filial." [1] In this way, filial duty justifies and necessitates the cult of ancestors.[2]

The ultimate goal of social reform is the great tranquilization of All-under-Heaven (*t'ien hsia*). The ideal is the Great Union.[3] The regulation of the family and the government of the state are but steps in the process of transition, which again depend upon the cultivation of the person. Just as the domestic institution has moral education for its most significant purpose, so does the political institution. Such duties as filial piety and parental beneficence cultivated in the family are necessarily displayed in government. It is only the person who as father fulfils the duties proper to a father, and the one who as son fulfils the duties proper to a son, that can run a good and efficient government. So did such sage-kings as Yao and Shun.

The efficient government is government by example. The ruler, who is in a position similar to that of a parent and instructor, must set a moral example to his subjects. If his personal character is correct, his government is effective—his government is effective without the issuing of orders. If he cannot rectify himself, what has he to do with rectifying others? Moreover, to his aid he must get right persons into governmental service. Therefore, in response to the question raised by Duke Ai of Lu about government Confucius made the following discourse on government by example [4]:—

> With the right men the growth of government is rapid, just as vegetation is rapid in the earth; and, moreover, their government might be called an easily growing rush. Therefore the

[1] Op. cit., I, xi. Italics mine.

[2] In this connection Confucius said, "It is not till a child is three years old that it is allowed to leave arms of its parents. And the three years' mourning is universally observed throughout the empire." (Ibid., XVII, xx, 6.)

[3] The description of the Great Union through the pursuit of the Grand Way (*ta tao*) as found in the *Li Yün* (*Li Ki*, Bk. VII, 2–3) was attributed to Confucius. This cosmopolitan ideal of Confucius has played a unique rôle in the history of Chinese thought. His disciple Tzŭ Hsia already said, "All within the four seas are brothers. . . . then why should the superior man bemoan his lack of brothers?" (*Analects*, Bk. XII, v.) The same ideal was reclaimed by such thinkers of the recent past as T'an Ssŭ-t'ung and K'ang Yu-wei, and found its influence felt even in the teachings of Sun Yat-sen.

[4] *The Doctrine of the Mean*, xx, 3–7.

> administration of government lies in getting proper men. Such men are to be got by means of the ruler's own character. That character is to be cultivated by his treading in the ways of duty. And the treading in those ways of duty is to be cultivated by the cherishing of benevolence.
>
> Benevolence is the characteristic element of humanity, and the great exercise of it is in loving relatives. Righteousness is the accordance of actions with what is right, and the great exercise of it is in honouring the worthy. The decreasing measures of love due to relatives and the steps in the honour due to the worthy, are produced by the principle of propriety.
>
> When those in inferior situations do not possess the confidence of their superiors, they cannot retain the government of the people. Hence the sovereign may not neglect the cultivation of his own character. Wishing to cultivate his character, he may not neglect to serve his parents. In order to serve his parents, he may not neglect to acquire a knowledge of men. In order to know men, he may not dispense with a knowledge of Heaven.

Loyalty to Heaven is necessary on the part of the ruler if he wants to win loyalty from his subjects. With this Confucius stopped in his "rectification of terms", leaving the problem as to the right of rebellion against tyranny untouched.

If the efficient government is government by moral example, it must be at the same time a benevolent government, government by virtue. The important duties of the ruler are "reverent attention to business, and sincerity; economy in expenditure, and love for men; and the employment of the people on the proper occasions".[1] The poor masses must be enriched first, and then taught.[2] The requisites of government, according to Confucius, are "sufficiency of food, sufficiency of military equipment, and the confidence of the people in the ruler".[3] Among these that which is indispensable to the state is the people's faith in their rulers. Next, comes food. But military equipment as well as other sorts of force is not indispensable, but is necessary only when inevitable. The people should be dealt with by force as little as possible. Persuasion should be preferred to compulsion. "If the people be led by legal rules, and uniformity sought to be given them by punishments, they will try to avoid the penalty, but have no sense of shame. If they be led by virtue, and uniformity sought

[1] *Analects*, I, v. [2] *Ibid.*, XIII, IX. [3] *Ibid.*, XII, VII.

to be given them by the rules of propriety, they will have the sense of shame, and moreover will become good."[1]

Notwithstanding the evident distinction between morality and legality, Confucius had to advocate legalism wherever moralism proves helpless. In the field of legality he rather held to a retributive theory of justice when he said, "Recompense injury with justice, and recompense kindness with kindness."[2] When Duke Ai asked how to secure the submission of the people, he said with the same tone, "Advance the upright and set aside the crooked, then the people will submit. Advance the crooked and set aside the upright, then the people will not submit."[3] Nevertheless, the educational trends work through and through in his theory of law and penalty. In regard to the problem of capital punishment of the unprincipled for the good of the principled, he held that the ruler, in carrying on his government, should need no killing at all if his own character be good and the people will be good; and that if the ruler is himself not virtuous, there is no use killing.[4] Instruction ought to precede and, if possible, supersede punishment. The ruler must regulate himself before he can successfully regulate the ruled. First comes "self-control"; then, "group-control."

2 *Intrinsic Moralism—Mencius*

Dictates of Conscience: Innate Moral Ideas.—Unlike Socrates, Confucius did not live to see his Plato appear from among his immediate disciples. It was from the school of the disciples of his grandson, Tzŭ Ssŭ, that his first greatest adherent Mêng K'o or Mencius (372–289 B.C.) arose to expound his teachings with sagacious originality. His father having passed away when he was hardly three years old, Mencius did build up in his early years his illuminating personal character under the inspiring influence of his mother,[5] who, after perceiving how her son was apt

[1] Op. cit., II, IV.
[2] Ibid., XIV, XXXVI.
[3] Ibid., II, XIX.
[4] Ibid., XII, XIX.
[5] The mother of Mencius is universally known in China, and held up to the present time as the best example of what an intelligent mother and a virtuous woman should be. She has been reputed as the exponent

to act as the neighbouring people would do, thrice changed her residence on his account. Mother and son finally found their home in a little cottage close by a public school, whereafter Mencius at once became a scholar more industrious than anybody else in the neighbourhood. His native place in Tsou being only a few miles away from the headquarters of the Confucianists in those days,[1] his intellectual background naturally became permeated with Confucius' teachings. After Confucius he yearned, saying, "Although I could not be a disciple of Confucius himself, I have endeavoured to cultivate my virtue by means of others who could have been."[2]

Surrounded by the warring states and corrupt politics, Mencius interviewed more than one Dionysius, but neither King Hsuan of Ch'i nor King Hui of Liang-wei nor any other contemporary ruler accepted his teachings. Su Ch'in was busy attempting the Perpendicular Union; Chang Yi, Horizontal Alliances. Ideas and ideals of Yang Chu and Mo Ti[3] were ruling a number of people. But Machiavellianism and sophism were always the source of annoyance, the creator of trouble. "Whoever is able to oppose Yang and Mo is a disciple of the sages!" exclaimed Mencius.[4] It was then his task, as he undertook, to restore orthodox creeds through repudiating radical doctrines so strange and portentous in his eyes.

Like Confucius, Mencius started from the treatment of the means of "self-control". To rectify the hearts and so to improve the character of the people, he appealed to *a priori* conscience in place of the way of the ancient kings—to the adaptive factor intrinsic to everybody. Tzŭ Ssŭ's theory of human nature he developed with unequivocal terms. The views of Kao Tzŭ—a speculatist of his day—that human nature is originally neither good nor evil but susceptible to external influences and that fashioning

of the doctrine of Three Obediences (三從). Obedience to her father while a daughter, obedience to her husband when married, and obedience to her son when a widow.

[1] In the present Shantung Province.

[2] Works, Bk IV, pt II, chap xxvi, 2.

[3] Yang Chu and Mo Ti, like many other Chinese philosophers, are better known as Yang Tzŭ (Philosopher Yang) and Mo Tzŭ (Philosopher Mo).

[4] Works, Bk III, pt II, chap. ix, 13.

benevolence and righteousness is like making cups and bowls from the willow, he attempted to refute. For him the "original mind"[1] of man is good and always tends to be good just as water always tends to flow from a higher to a lower place. Because man is born with the "moral sense"[2]—the faculty of conscience—equipped with such fundamental innate moral ideas as benevolence, righteousness, propriety, and wisdom, which belong to his mind as naturally as the four limbs belong to his body. Therefore, his theory of four innate moral ideas states[3]:

> The feeling of commiseration implies the principle of benevolence (*jên*), the feeling of shame and dislike, the principle of righteousness (*yi*); the feeling of reverence and respect, the principle of propriety (*li*), and the feeling of approving and disapproving, the principle of wisdom (*chih*). Benevolence, righteousness, propriety, and wisdom are not infused into us from without. We are certainly furnished with them while we might not reflect upon them.

These four principles, when functioning from within, are motives determining moral conduct; and are virtues of moral character when habitually expressed outside.

> "Seek and you will find them. Neglect and you will lose them." Men differ from one another in regard to them—some as much again as others, some five times as much, and some to an incalculable amount—it is because they cannot carry out their fully natural powers.[4]

Humanity differs from brutality by a little which the mass casts away, but the superior man preserves. It is by the preservation of his original mind and moral sense, and by the development and nourishment of his innate moral ideas, that the latter distinguishes himself from the former. "He who has exhausted all his mental constitution knows his nature. Knowing his nature, he knows Heaven. To preserve one's mental constitution, and nourish one's nature, is the way to serve Heaven."[5] Nourish your nature and give full development to it. Such is the basic way of "self-control".

Following Confucius, Mencius argued for the supremacy of benevolence (*jên*). Benevolence is the motive of motives,

[1] 孟子, op. cit., Bk. VI, pt. 1, chap. x, 6.
[2] 孟子, ibid., chap. viii, 2. [3] Works, ibid., chap. vi, 7.
[4] Ibid. [5] Ibid., Bk. VII, pt. 1, chap. i, 1–2.

the virtue of virtues. It is "the mind that cannot bear to see the sufferings of others".[1] It is therefore the tonic of conscience, the distinguishing characteristic of humanity. But one step further from Confucius, Mencius advanced, maintaining that the motive of benevolence, when expressed outside, necessarily accords with the motive of righteousness. "Benevolence is man's mind, and righteousness is man's path."[2] "Benevolence is the tranquil habitation of man, and righteousness is his straight path"[3] The motive of righteousness in function when accompanying the motive of benevolence, is the sense of duty

Objects of Benevolent Government.—While Mencius himself was not so stern a moralist as Confucius, like the master, he held that the ultimate object of government is to exalt the moral personality of the people. In any case it must live up to the implications of intrinsic moralism. Since the nature of every man is intrinsically good, and, therefore, by developing that natural goodness he may become equal to ancient sages; on the basis of this doctrine of natural equality he must be given all available facilities to enlighten his understanding of human relationships, and moreover afforded freedom enough as relative to that of the rest for the development and completion of the four innate moral principles. Therefore, as regards the way the government disciplines the individuals, moralism must be always preferred to legalism; good instructions, to good regulations The people fear the latter but love the former. Government is a matter not so much of hindrance by good regulations as of furtherance by good instructions. The superior man acts for righteousness' sake; the inferior from the fear of penalty.[4] If everybody is made a superior man by instructions, regulations are unnecessary. "Good regulations get the people's wealth only, while good instructions get their hearts."[5] Thus, *even in government morality is always against legality.*

Among the three essentials of a state—land, people, and government[6]—which every ruler treasures as the most

[1] Op. cit., Bk. II, pt. i, chap. vi, 1
[2] Ibid., Bk. VI, pt. i, chap. xi, 1
[3] Ibid., Bk. IV, pt. i, chap. x, 2.
[4] Ibid., Bk. IV, pt. i, chap. i, 7
[5] Ibid., Bk. VII, pt. i, chap. xiv, 3.
[6] 土地, 人民, 政事. Ibid., Bk. VII, pt. ii, chap. xxvii

precious things to him, the people are the most important one. The love and protection of them is the virtue necessary in order to attain the imperial sway. It is the basis of "group-control", the principle of benevolent government. He who runs a benevolent government, controls the people by winning their hearts first of all. The loss of their hearts leads to the loss of them, which again leads to the loss of the empire. The ruler who has already won the hearts of his people, has exceeding advantages over those who simply resort to chance and force. "When one by force subdues men, they do not submit to him in heart. They submit, because their strength is not adequate to resist. When one subdues them by virtue, in their hearts' core they are pleased, and sincerely submit, as was the case with the seventy disciples[1] in their submission to Confucius."[2] The "union arising from the willing accord of men"[3] is far better than either "opportunities vouchsafed by Heaven"[4] or "advantages of geographical location"[5].

The supreme business of government is the moral education of the people—the winning of their hearts and the rectification of their motives of action. Yet unless the ruler himself be correct, everything will be incorrect. The significance of the influence of personal character in the ruler is enormous. To see intrinsic moralism being carried out throughout his country the ruler must be intrinsically good. Not only must he rule the people not with power but with benevolence; but also he must behave himself right for righteousness' sake. He must call to aid in his administration men of wisdom and virtue. Towards any neighbouring state not hostility, but friendliness is necessary. Whoever thinks and acts in terms of power and profit, is bound to meet the same fate as King Hui of Liang-wei did in suffering defeats, reparations, and territorial cessions.

The loyalty and affection of the people can only be secured through a benevolent government under a righteous ruler. He who rules the people with benevolence and righteousness, always shares their pleasure and pain, joy and sorrow, with them. King Wên could win the hearts

[1] Seventy out of the three thousand disciples of Confucius had acquired the mastery of all the "six arts".

[2] *Works*, Bk. II, pt. 1, chap. iii, 2.

[3] 人和 [4] 天時 [5] 地利.

of the people because in the institution of his benevolent government, he had made the most destitute of the people the first objects of his regard.[1] All the sage-kings "caused the people to have pleasure as well as themselves, and therefore they could enjoy it".[2] "When a ruler rejoices in the joy of his people, they also rejoice in his joy; when he grieves at the sorrow of his people, they also grieve at his sorrow. A sympathy of joy will pervade the empire; a sympathy of sorrow will do the same—in such a state of things, it cannot be but that the ruler attains to the imperial dignity."[3]

"If the ruler of a state love benevolence, he will have no opponent in the world."[4] "It was by benevolence that the three dynasties[5] gained the empire, and by not being benevolent that they lost it"[6] "Those who accord with Heaven are preserved, and those who rebel against Heaven perish"[7] To accord with Heaven is to observe the "decree of Heaven",[8] and to observe the rule of Heaven is to cultivate personal virtue and elevate the welfare of the people. The rule of Heaven is therefore the law of nature, the source and sanction of all positive law. So long as the ruler, claiming the title of the Son of Heaven, is loyal to Heaven by observing its rule as constantly revealed in the opinion of the people, the people must be loyal to him. If he reverses the will of Heaven and exercises an injurious rule, he must be dethroned and put to death. If based on the public opinion of the people, killing in such a case is no murder. When King Hsuan of the State of Ch'i asked Mencius, saying, "Was it so, that T'ang banished Chieh, and that King Wu smote Chow?" Mencius replied: "It is so in the records." The king again asked: "May a minister then put his sovereign to death?" In reply, Mencius emphatically declared: "He who outrages the benevolence proper to his nature, is called a robber; he who outrages righteousness, is called a ruffian. The robber and ruffian we call a mere rascal. I have heard of the punishment of the rascal Chow, but I have not heard of the murder of a sovereign in his case."[9] Any unworthy ruler

[1] Op. cit., Bk. I, pt. i, chap. ii, 3
[2] Ibid., Bk. I, pt. ii, chap. iv, 3
[3] The dynasties of Hsia, Yin or Shang, and Chou
[4] Ibid., chap. iii, 1.
[5] 天命.
[6] Ibid.
[7] Ibid., Bk. IV, pt. i, chap. vii, 3.
[8] Ibid., chap. vii, 1.
[9] Ibid., Bk. I, pt. ii, chap. viii.

ought to be removed likewise. He may be dethroned either by his relatives who are virtuous and capable or by virtuous ministers who can raise the standard of righteousness, with a view to fulfilling the will of Heaven. "If the ruler have great faults, they ought to remonstrate with him, and if he do not listen to them after they have done so again and again, they ought to dethrone him."[1] Thus, from the doctrine of "extreme democracy" Mencius logically advanced to the right of revolution. Both Locke and Rousseau would have greeted him with joy and affection as their precursor if they could have met this theoretical founder of Chinese anti-monarchism.

Turning to the main administrative policies of a benevolent government advocated by Mencius, we find that far more than Confucius had done he emphasized the necessity of fulfilling the material needs of the people. He clearly recognized that only the few—the self-cultivated few—can maintain a "fixed heart"[2] while without "permanent property",[3] but not the mass. Unless the mass have been made well off, moral education will work only in vain. Therefore to King Hui of Liang-wei Mencius made the following remarks[4]:

> *If* your Majesty will indeed dispense a benevolent government to the people, being sparing in the use of punishments and fines, and making the taxes and levies light, so causing that the fields shall be ploughed deep, and the weeding of them be carefully attended to, and that the strong-bodied, during their days of leisure, shall cultivate their filial piety, fraternal regard, sincerity, and truthfulness, serving thereby, at home, their fathers and elder brothers, and, abroad, their elders and superiors—you will then have a people who can be employed *at your pleasure*.

As to the primary importance of the security and elevation of the livelihood of the mass, he made to King Hsüan the following remarks[5]:—

> They are only men of education, who, without permanent property, are able to maintain a fixed heart. As to the people, if they have not permanent property, it follows that they will not have a fixed heart. And if they have not a fixed heart,

[1] Op. cit., Bk. V, pt. II, chap. IX, 1.
[2] 恒心 [3] 恒產
[4] Ibid., Bk. I, pt. I, chap. V, 3. Italics mine.
[5] Ibid., chap. VII, 20–1.

there is nothing which they will not do, in the way of self-abandonment, of moral defection, of depravity, and of wild license. When they thus have been involved in crime, to follow them up and punish them—this is to entrap the people. How can such a thing as entrapping the people be done under the rule of a benevolent man?

Therefore, an intelligent ruler will regulate the property and livelihood of the people, so as to make sure that, for those above them, they shall have sufficient wherewith to serve their parents, and, for those below them, sufficient wherewith to support their wives and children, that in good years they shall always be abundantly satisfied, and that in bad years they shall escape the danger of perishing. After this he may urge them, and they will proceed to what is good, for in this case the people will follow after it with ease.

If such were the case, although Mencius did not dwell upon the economic basis of law and morals, it is evident that for the mass the security of livelihood alone can promise the possibility of morality and legality.

The economic policy which a benevolent government ought to carry into practice, involves two concrete points: the "division of the fields"[1] among the mass, and the "regulation of allowances"[2] for the officials. As a preliminary step to these two points, the government must lay down the correctly defined boundaries, so that the division of the land into squares will be equal, and the produce available for salaries will be evenly distributed. Such a measure was so intended as to guard against oppressive rulers and self-seeking officials. Despite the apparent tendency to state socialism, in regard to land ownership, Mencius did not dispose of the private ownership of other sorts of property. Such an economic function of government as he advocated was expected to be a basic way—if not the only way—whereby the mass could easily develop their moral personality.

3. *Extrinsic Moralism—Hsün Tzŭ*

It is rather amusing to see that the first strong opponent of Mencius did not come from any rival school but from among his fellow Confucianists. And that was Hsün Ch'ing—better known as Hsün Tzŭ or Philosopher Hsün—

[1] 分田 [2] 制祿

the Aristotle of China, born in the state of Chao towards the close of Mencius' life. Like other Confucianists, he started from a psycho-analysis of human nature, advocated the way of the ancient kings as adequate means of social control, and emphasized education as the most efficient and immediate technique. With Mencius he had practically similar intellectual equipment, and aimed at the same goal, to which, however, he approached from a different standpoint. At the starting he denied whatever Mencius had affirmed. Could both of them have met each other, a life-long debate would have taken place on the subject as to whether human nature is originally good.

Mencius argued that the original nature of man is good, and because he lost and destroyed his original nature, it is evil. With the refutation of Mencius' theory, Hsün Tzŭ began. He contended first that Mencius' theory is not understanding the nature of man; second, that it is not examining the original nature of man; and finally that it is not examining the part played by acquired elements. Then comes his major argument that human nature is originally evil, and its goodness is simply acquired *a posteriori* gradually through learning

All people, whether like Yao and Shun or like Chieh and Chow, are born with common characteristics as found in natural needs, organic desires, and sensory activities.[1] "Human nature is the production of nature; emotion is the essence of human nature; desires are the reactions of the emotional nature" [2] By nature the mind is always responsive in particular to the object that is incentive to his natural need. When cold, man desires warmth; when hungry, repletion. Everybody desires to be good because his nature is originally evil; just as he wants to be rich if he has been in poverty.[3] Precursory of Thomas Hobbes' theory of human nature, Hsün Tzŭ expounded his own very concisely as follows [4]:—

> The nature of man is evil, his goodness is only acquired training. The original nature of man to-day is to seek for gain. If this desire is followed, strife and rapacity result, and courtesy dies. Man originally is envious and naturally hates others. If these tendencies are followed, injury and destruction follow;

[1] *Works*, IV, 18
[2] Ibid., XXII, 4
[3] Ibid., XXII, 12
[4] Ibid., 1.

loyalty and faithfulness are destroyed. Man originally possesses the desires of the ear and eye; he likes praise and is lustful. If these are followed, impurity and disorder result, and the rules of propriety and righteousness and etiquette are destroyed. Therefore, to give rein to man's original nature, to follow man's feelings, inevitably results in strife and rapacity, together with violations of etiquette and confusion in the proper way of doing things, and reverts to a state of violence. Therefore, the civilising influence of teachers and laws, the guidance of the rules of propriety and righteousness is absolutely necessary. Thereupon courtesy results; public and private etiquette is observed, and good government is the consequence. By this line of reasoning it is evident that the nature of man is evil and his goodness is acquired.

While Hobbes advocated laws enforced by the political authority based on the social contract as the most efficient means of controlling the state of constant warfare, Hsün Tzŭ dwelt primarily upon the creed of education—the civilising influence of teachers and laws on the one hand, and the disciplining guidance of morals and music on the other. He cherished a firm conviction that human nature, though evil, is improvable under a good social environment and through the individual's effort of self-cultivation. "Every man on the street," he wrote, "has the nascent ability of knowing the principles of benevolence, righteousness, obedience to law, and uprightness, and the means whereby he can carry out these principles. Thus it is evident that he can become a sage like Yü." [1] But not everybody exercises that ability. Hence, the need of good training to everybody.

On account of their difference in the theory of human nature, while Mencius advocated the preservation of innate moral ideas and the development of personality, Hsün Tzŭ encouraged the cultivation of the self and the improvement of the original nature. To the former education tends to be *negative*: the less hindrance, the better. To the latter, hindrance is necessary, and education must be positive. "The original nature of man is the beginning and material; acquired characteristics are the beautification and glorification of the original nature." [1] For Hsün Tzŭ education is not mere importation from without, but it involves the effort of self-cultivation from within. Yao and Shun completed their success by artificial cultivation. Heaven

[1] Op. cit., 7. [1] Ibid., xxx, 14.

helps only those who cultivate themselves. "If a person rebels against the right way of life (*tao*), and acts unseemly, then Heaven cannot make him fortunate."[1] As the fundamental rule of self-cultivation, Hsün Tzŭ taught everybody to approach the virtuous and avoid the evil, and then to build his character through controlling his natural inclinations by the method of everywhere and always following the right rules brought forth by the virtuous until he habitualizes them as his virtues and as results in his character-building.

In the process of self-cultivation, however, the person needs a teacher to see if his action comes up to the standard taken. Correct criticism from others does facilitate self-cultivation; learning from others is another aspect of education. He who expects to become a superior man, must make his learning broad as well as daily examine himself so as to have his knowledge exact and his conduct without blemish. To this definite goal, he must be careful, industriously striving, and devoted. While learning, besides avoiding evil influences from without, he must (1) associate intimately with a worthy teacher, (2) hold him in a high esteem, and (3) exalt the rules of propriety.[2] The purpose of study begins with making the scholar and ends in making the sage. Since orthodoxy is desirable, its subject is found in the classics. Progress is due to constant effort. "The art of study occupies the whole of life; to accomplish its purpose, you cannot stop for an instant."[3] Moreover, "scholarship must be complete and exhaustive."[4] The superior man learns in such a manner that whatever he learns goes into his ears, penetrates into his heart, permeates his entire body, and displays itself in every moment. Thus, as scholarship becomes perfect, he will live and die according to what he has learned. Then we will say he has firmly grasped virtue and has fixed his mind without distraction.

From such means of "self-control" Hsün Tzŭ proceeded to the treatment of the problem of "group-control". Thereupon, since he could not admit any innate moral ideas which Mencius had so much adored, he appealed to external patterns which he found in rites and morals with

[1] Op. cit., xxv, 13
[2] Ibid., 7.
[3] Ibid., i, 9–10.
[4] Ibid., 12.

music as subservient to them. The basis of his extrinsic moralism lies in the conformity of action to such external moral standards. These ends of action first function as standards from without until when the person builds up his character they become acquired as moral motives. The sense of what is proper (*hsi*) is the motive of good conduct and it is acquired wisdom that can discriminate between what is proper and what is not. Moral character lies in the habitual doing of goodness for goodness' sake. If in his good act one does not pay any attention whether others know of them or not, and "gives without seeking for a return", then all people will unite in honouring him, and Heaven will reward such a virtuous person.[1] Such rewards are natural consequences of the conduct, but should not be the motives of any action.

A great expert in both rites and music as he was, Hsün Tzŭ did actually put an excellent treatise on music in black and white. For him music is in nature "the expression of joy".[2] As regards its origin, he wrote: "Man must needs be joyous; if joyous, then he must needs embody his feelings; if they are embodied, but without conforming to any principle (*tao*), then they cannot avoid being disordered."[3] Therefore, the ancient sage-kings, hating this disorder, established music in conformity to principle so as to maintain order. As to the function of music, by quoting passages from the "Records of Music" to support his views, he emphatically pointed out that music turns the people to morals if performed in proper manner and on proper occasions, and that in effect it is "the greatest unifier in the world, the bond of inner harmony, the inevitable consequence of human action."[4]

The greatest cause of disorder in his day was from his point of view the neglect of rites. Therefore he urgently advocated the revival and reverent observance of those rites as derived from the decrees of Heaven and Earth, from the ceremonial usages of ancestors, and from the teachings of kings and sages.[4] While they were acquired usages in the past, they have remained unchanged through the time of all the kings, and are sufficient to permeate the right

[1] Op. cit., x, 23. [2] Ibid., xx, 1. [3] Ibid.
[4] Ibid. [4] Ibid., xx, 2.

way of life for the present. If revived, they will—as they used to do—function in educating and improving human nature, beginning as rules of conduct and standards of observance, and perfected in becoming beautiful themselves and in bringing about pleasant order to the existing society.

Notwithstanding the incompatible conflict between their psychological premises, Hsün Tzŭ elaborated many points of agreement in his treatment of the political institution as the highest normative factor motivating social conduct. Like Mencius, he advocated moralism in government, emphasizing its educational function and moral basis. The ruler runs it not through fear but through love, and not by military force but by personal example. Again, in response to the charge made by many a sophist (Chuang Tzŭ, for instance, in the eyes of Hsün Tzŭ) that such tyrants as Chieh and Chow were the legal rulers of the empire while Kings T'ang and Wu rebelled and took it by force, Hsun Tzu argued for the right of revolution on a more legal than moral ground that Chieh and Chow themselves possessed not the empire but merely its registers and census records at that time, and that since the royal clan of the empire had not a man of ability to do the work, all the people were willing to greet any feudal prince like T'ang and Wu as their ruler and leader who had the ability [1]

Nevertheless, on account of their fundamental difference in the theory of human nature, Hsun Tzŭ emphasized the integration of the environment for the people in place of the promotion of their personality as maintained by Mencius. Therefore he urged the promotion of the progress of social organization as the basis of moral life [2] and the division of work as that of national wealth [3] Once more he appealed to the way of the ancient kings which it was in his eyes the current social need to revive.

In the long run the characteristic point differentiating extrinsic from intrinsic moralism still forms the kernel of his political and legal teachings. In regard to political administration he admitted the necessity of outer restraint and intervention. While the noblemen observe morals, the multitudes abide by law. Therefore, besides rites and

[1] Op. cit., xviii, 2–3. [2] Ibid., ix, 12. [3] Ibid., x, 1–2.

music he advocated reward and punishment as means of control with the following remarks[1]:—

> But lewd people, scandal-mongers, evil-doers, people of perverted abilities, shirkers, and unreliable people, should be trained, given employment, and time for reformation. Stimulate them by rewards; and warn them by punishments, if they are satisfied with employment, then keep them; if they are not satisfied to work, then deport them.

Legalism is then a preliminary step and an indispensable means to moralism. Since human nature is originally evil, punishment is necessary if it fits the crime. Thereby Hsün Tzŭ was compelled to propound a peculiarly preventive rather than educational theory of penalty, saying[2]:—

> The origin of all punishment is the restraint of violence, the hatred of evil, and the warning against its future occurrence. That a murderer should not die, or a man who injures another should not be punished, is favouring violence and being liberal to robbers, not hatred of evil.

Legalism is thus indispensable but not inevitable. Yet the social confusion of the age was moving from bad to worse day after day. The primacy of outer restraint over self-control come more and more to the fore. Small wonder two of his greatest pupils, Han Fei Tzŭ and Li Ssŭ, meanwhile became strict converts to legalism who—notably the latter—with their legalistic equipment helped the First Emperor of the Ch'in dynasty evolve an imperial régime out of chaos and turmoil.

C INACTIONISM THROUGH NATURAL TRANQUILLITY—LAO TZŬ

Ways of Self-repose as Means of Self-control.—The founder of Taoism—the strongest rival of Confucianism—was Li Êr (570–? B.C.), popularly known as Lao Tzŭ or Old Philosopher, an older contemporary of Confucius. The fundamental cause of current disorder he found in the vanity of self-display and the egotism of artificial effort. In revolt against all cultural attainments he repudiated rites, morals,

[1] Op. cit., ix, 1. [2] Ibid., xvii, 6.

music, and institutions. He condemned culturalism and traditionalism no less than Rousseau did in the West. In his eyes, civilization must have been a curse when he put down in his *Tao Teh King* so cynical a passage as follows[1]:

> When the Great Way (*tao*) is obliterated, we have benevolence and righteousness. When wisdom and sagacity appear, we have much hypocrisy. When family relations are no longer harmonious, we have filial piety and parental beneficence. When the state and the clan fall into disorder, we have loyalty and allegiance.

In place of culturalism he preached naturalism; in place of moralism and legalism alike, inactionism. And in so doing he pointed directly to the permanent bliss of spontaneous order among mankind on Earth and under Heaven.

To search for the right way to order, while Confucius looked to the way of the ancient kings, Lao Tzŭ appealed to the way of nature. Attracted to the harmony of the heavenly bodies and the orderliness of the natural phenomena on earth, so tactfully did Lao Tzŭ elaborate as ground of appeal the metaphysical *Tao*,[2] the heavenly way, with which he confronted the ethical *tao*—the human way—of Confucius. "The way of Heaven," he said, "has no preference but is always on the side of the good man"[3] It depletes those who have abundance, and augments those who have deficiencies; whereas the way of man, according to him, does reversely, depleting the deficient in order to serve those who have abundance.[4] But, what is the way of Heaven, and what is good?

To the way of Heaven Lao Tzŭ simply ascribed the term *Tao* which denotes the metaphysical entity of the cosmic order. Yet Lao Tzŭ's *Tao* specifically differs from Zeno's *Logos*. The latter was supposed to be spiritual in substance and consciously purposive in function while the former was described as natural and spontaneously working towards some goal. It is the ultimate root of all phenomenal appearances—the reality of realities. It is colourless, soundless, bodiless, and ineffable. It is the form of the formless, the image of the imageless. For, as Lao Tzŭ said,

[1] *Tao Teh King*, xviii.
[2] Ibid., lxxv, 3.
[3] 同上.
[4] Ibid., xxvii, 1–3.

"the way (*Tao*) that can be trodden on is not the eternal way (*Tao*). The name that can be defined is not the eternal name."[1] Through human life the *Tao* is exemplified as a moral principle in the form of *Teh* or virtue. Whatever one does in pertinence to this *Teh* is good, and yet that goodness is not a gift of action but the basis of a state—namely, the condition of being affiliated with the Tao. "Man takes Earth as standard; Earth takes Heaven as standard; Heaven takes the *Tao* as standard; and the *Tao* takes itself as intrinsic standard."[2] Therefore, human nature is part of cosmic nature, and resembles it by nature; which is most evidently revealed, as Lao Tzŭ said, in the nature of water so adaptable to everything else. Accordingly, superior goodness in man resembles the quality of water, and that is natural adaptability.[3]

Thus, with the *Tao*, Lao Tzŭ connected his philosophy of the world with his philosophy of life. The salvation of life from turmoil and adversity lies in the communion with the *Tao*. By attaining the height of abstraction we gain the fullness of natural tranquillity whereby we return to the root of human nature, that is, cosmic nature. He who pursues the *Tao* merges in the Tao; he who follows the *Teh*, merges in the *Teh*. The decay of the body then implies no danger. Hence, "unto the Tao! and back to nature!" Herein there lie the bases of "self-control" and "group-control".

By "control" Lao Tzŭ did not mean any sort of artificial effort. It should be a way of natural tranquillity or "repose". It is essentially "inaction" (*wu-wei*). But forced inaction does involve very much action. Therefore inaction must be spontaneous action—action without any artificial strife. Inaction then means spontaneous action according to the *Tao*. Since action—namely, artificial action—implies interference which brings about evil consequences, if we let the *Tao* work by itself, everything will turn well. The *Tao* can work of itself along its own course in the world just like "creeks and streams in their courses towards rivers and the ocean".[4] "The heavy is the root of the light, and rest is motion's master."[5] Hence,

[1] Op. cit., i, 1. [2] Ibid., xxv, 3. [3] Ibid., viii.
[4] Ibid., xxxii, 4. [5] Ibid., xxvi, 1.

do inaction, and everything will be done. From this Lao Tzŭ derived further precepts [1]:—

> Practise non-practice.
> Taste the tasteless.
> Make great the small.
> Make much the little.
> Requite hatred with virtue.
> Contemplate a difficulty when it is easy.
> Manage a great thing when it is small.

The result of practising inaction is the accomplishment of everything. In the world, the softest overcomes the hardest; non-being enters into the impenetrable; but beauty displays beautifulness, which is but sheer ugliness, and good displays goodness, which is but sheer badness. Being and non-being are mutually conditioned; the beautiful and the ugly, the good and the bad, the hard and the soft, so appear to man simply in contrast to each other. "He who knows does not talk; he who talks does not know." [2] Yet there are few in the world who really obtain the advantages of inaction, and the lesson of silence. The sage who abides by inaction in his affairs and practises by silence his teachings, does enjoy their consequent blessings [3]:

> He embraces unity and becomes for all the world a model.
> Not self-displaying he is enlightened.
> Not self-approving he is distinguished.
> Not self-asserting he acquires merit.
> Not self-seeking he improves.
> Since he does not quarrel, therefore nobody in the world can quarrel with him.

In short, humility as a creed of self-repose is the way to this bliss.

While the sage offers no resistance to whatever happens to him, he attends to the inner nature, which is the real nature as part of the cosmic nature, and not to the outer senses, abandoning the latter and choosing the former. Sense-stimulus is always the cause of action, the disturbance of tranquillity. Inaction implies the simplification of sensual desires. At the same time it urges the rise above vanity and avarice. Naturalness, humility, and simplicity—these are the three basic ways of self-repose, the three virtues out

[1] *Op. cit.*, lxiii, 1–3. [2] *Ibid.*, lvi, 1. [3] *Ibid.*, xxx, 2.

of self-control. Inaction is superior virtue, the virtue of virtues.[1] It is the way man comes into communication with the *Tao* which is the supreme end of all action.

Since the esteem of the *Tao* and the honouring of the *Teh* is by no one commanded, virtue is forever spontaneous. Under the principle of inaction virtue is spontaneously done for virtue's sake. "Requite hatred with virtue!"[2] "Meet the good with goodness; the bad also with goodness; that is virtue's (*Teh's*) goodness. Meet the faithful with faith; the faithless also with faith; that is virtue's (*Teh's*) faith."[3] "To breed but not to own, to make but not to claim, to raise but not to rule, this is called profound virtue."[4] If virtue is not any artificial effort, how much less must it be wisdom and knowledge. He who possesses virtue in all its solidity, is like an infant, innocent, cheerful, and harmonious with everything in the world.[5] Because human nature is originally simple and innocent—neither moral nor immoral but unmoral like the nature of a baby. Thus, Lao Tzŭ trusted the original innocence as found in the state of nature, although he did not elaborate his theory of human nature with definitely expressive terms.

Ways of Group-repose as Means of Group-control.—The doctrine of inaction is again logically applied to the means of "group-control", with the immediate result that Lao Tzŭ therein pictured his ideals of absolute freedom, no interference, non-legalism, and pacifism. So vividly and impressively did he lament for the people of his age[6]:—

> The people hunger because their superiors consume too many taxes; therefore they hunger. The people are difficult to govern because their superiors are too meddlesome; therefore they are difficult to govern. The people make light of death on account of the intensity of their clinging to life; therefore they make light of death.

So did he lament over the current misgovernment[7]:—

> The more restrictions and prohibitions are in the empire, the poorer grow the people. The more weapons the people have, the more troubled is the state. The more there is cunning and skill, the more startling events will happen. The more mandates and laws are enacted, the more there will be thieves and robbers.

[1] Op. cit., xxxviii, 2
[2] Ibid., lxiii, 2
[3] Ibid., xlix, 2
[4] Ibid., li, 4
[5] Ibid., lv, 1.
[6] Ibid., lxxv, 1.
[7] Ibid., lvii, 2–3.

Therefore, the sage says: I practise inaction, and the people of themselves reform.

Therefore, like Rousseau, Lao Tzŭ held the less government the better, but not anarchism. "The *Tao* never acts, and yet there is nothing that remains undone. If princes and kings could conform to the *Tao*, everything would of themselves be reformed."[1] Both non-legalism and unmoralism can be reconciled by inactionism through natural tranquillity.

The ruler who loves the people when administering the state, must be able to practise inaction. Towards them he will be natural and unsophisticated like a mother-bird feeding her young ones, so that they will naturally return to the original state of simplicity and innocence. He acts but never claims. He nourishes them but never interferes in their business. He excels them but never rules them. This Lao Tzŭ called "profound virtue".[2]

Lao Tzŭ was not really an anarchist as numerous writers have supposed. He merely expounded the theory of government by personal example with negative and somewhat vague terms. The good ruler governs according to the *Tao*, and therefore Lao Tzŭ maintained that he must treasure three virtues: beneficence, frugality, and "not daring to come to the fore in the world"[3] or humility.[4] Therefrom follows his condemnation of militarism on the ground that war is wasteful and arms cannot be in the long run a useful tool to any political purpose.[5] Again, legalism is unnecessary because it is useless. If the people do not fear death, death cannot scare them; if we always make them fear death, and yet somebody would still venture to rebel, there is no use punishing him with death, and who will dare to make them fear death?[6] "Meet the bad with goodness!" "Recompense injury with kindness!" As a matter of practice, such absolute pacifism and "moralism" can work only in such a Utopian state as he dreamt[7]:—

In a small country with few people let there be aldermen and mayors who are possessed of power over men but would not use it, and who induce people to grieve at death but do not cause

[1] Op. cit., xxxvii, 1-2.
[2] 玄德 Ibid., x
[3] 不敢爲天下先
[4] Op. cit., lxvii
[5] Ibid., xxx-xxxi
[6] Ibid., lxxiv, 1
[7] Ibid., lxxx. Italics mine.

> them to move at a distance. Although they have ships and carts, they find no occasion to employ them.
>
> The people are induced to return to the *pre-historic usage* of knotted cords and to use them *in place of writing*, to delight in their food, to be proud of their clothes, to be content with their homes, and to rejoice in their customs. Then, neighbouring states will be mutually happy within sight; the voices of cocks and dogs will echo each other; and the peoples might not call on one another before they grow old and dead.

It is evident that while Lao Tzŭ's metaphysical thought is as ineffable and agnostic as his *Tao*, his ethical and political teachings are far from practicable. His whole system having been susceptible to different interpretations, his adherents developed it in different directions. In the days of Mencius, Chuang Tzŭ arose to reiterate the master's teachings by means of graphic narratives and allegorical illustrations. Metaphysical Taoism was developed at his hands in terms of absolutism as over against relativism. The doctrine of inaction became extremely individualistic. The whole system turned deterministic. Mystic and subjectivistic tendencies came more and more to the fore when Chuang Tzŭ came to wonder at the mystery of life, and in so doing initiated the idea of metempsychosis forecasting the beliefs of religious Taoists that disembodied spirits would receive rewards or punishments for their former deeds in the Ten Courts of Hell and the enfranchised spirits would dwell in the Cave Heaven.[1]

D ECOISM THROUGH CULTIVATING THE SENSES—YANG TZŬ

While Lao Tzŭ advocated abstension from sensual desires, from among his adherents there came out Yang

[1] Chuang Tzŭ propounded his idea of metempsychosis in a very fascinating way. Whether his is a dream, Chuang Tzŭ thereafter wrote —

> Once upon a time, I, Chuang Tzŭ, dreamt I was a butterfly, fluttering hither and thither, to all intents and purposes a butterfly. I was conscious only of following my fancies as a butterfly, and was unconscious of my being Chuang Tzŭ. Suddenly, I awoke, and there I lay, myself still being Chuang Tzŭ. Now I do not know whether I was then Chuang Tzŭ dreaming I was a butterfly, or whether I am now a butterfly dreaming I am Chuang Tzŭ. Between Chuang Tzŭ and a butterfly there must needs be a border. The transition is called *Metempsychosis* (物化). (Cf. *Chuang Tzu*, H. A. Giles' tr., chap. ii, p. 32.)

Tzŭ (named Yang Chu) preaching the gospel of hedonism for the cult of the senses. The Epicurus of China, exercising tremendous influence during the interval between Lao Tzŭ and Chuang Tzŭ, started from the Taoistic conceptions of inaction, spontaneity, and tranquillity, but passed from universal naturalism over to individual hedonism by dropping the *Tao* away from the whole system on the one hand and elevating the personal ego to the highest top of adoration. Back of such an extreme egoism there lay a fatalistic view of life together with a serious mental weariness of the existing social turmoil. Like Epicurus in ancient Greece, Yang Tzŭ stuck to the truth and reality of all sensual pleasures. Yet he was far more hedonistic than the Western hedonist. Epicurus preferred to interpret pleasure in terms of the absence of pain and therefore to seek for permanent tranquillity; whereas to Yang Tzŭ pleasure was an actual thing and therefore he would find any momentary joy through the satisfaction of sensual desires. Epicurus still cared for social institutions, though with secondary importance and in terms of their usefulness to the individual. But Yang Tzŭ was a real anarchist, disregarding all social institutions and cultural attainments whatever. Let everybody care for himself and not bother anybody else's business. This is the right way and the only way to order, he would say.

Apparently through a psycho-physical approach Yang Tzŭ found the ultimate source of trouble with men in four acquired desires—longevity, fame, rank, and money—consequent upon the then social life so unnatural and pitiful in his eyes. However, these form the ends and motives of life-struggle. People desire a long life because they set their destiny at defiance; they desire fame because they are too fond of honour; they desire rank because they want power; and they desire wealth because they are avaricious. These desires are the sources of grief and sorrow. But grief and sorrow are contrary to human nature while ease and pleasure are in accord with it. Those who have a long life, fame, rank, and wealth, always fear ghosts, fear men, fear power and punishment. "They are always fugitives. Whether living or dead they regulate their actions by externals."[1] But they never live in accordance

[1] *Yang Chu's Garden of Pleasure*, A. Forbes' tr., xvii.

with nature. It is wrong to live such a life ruled by externals. They must regulate their life by inward things—by inclinations.

As a matter of fact, it is a folly to desire a long life. For actual life is so short. It is so much filled up with unconscious infancy, old age, sleep, pain, and illness, that at most one-tenth of its whole length can be for enjoyment. And, furthermore, there is not one hour free from some anxiety as might be caused by rewards, punishments, fame, laws, the honour of glory, or the splendour after death. Men differ little from chained criminals. If life is so tedious and wearisome, there is no use desiring it.

Despite its tedium and shortness, it makes no promise of an after life. "According to the laws of nature there is no such thing as immortality" and "there is no such thing as a very long life".[1] When his disciple Mêng-sung Yang was wondering why a sudden death should not be preferable to a long life, Yang Tzŭ said, "No. Having once come into life, regard it and let it pass; mark its desires and wishes, and so await death."[2]

Likewise, all fame, rank, and money we find in life are but falsehood. He who is famous, honourable, and wealthy is not really happy. Just look at Kuan Chung who won his lord, Duke Huan of Ch'i, the first presidency as Lord Protector over the inter-state league. He filled his post as prime minister in the following way[3]:—

> When Duke Huan was wanton he was wanton too; when Duke Huan was prodigal he was also prodigal. He met his wishes and obeyed him; following the right path, he made the state prosper. But after the Duke's death, he was only Mr. Kuan again. Nothing more.

In life men differ in wisdom, health, wealth, fame, and rank; but in death they are all alike. Death and not life is certain and eternal. "In life they are known as Yao and Shun; when dead they are so many bones which cannot be distinguished. But if we hasten to enjoy our life, we have no time to trouble about what comes after death."[4]

Life is so short, and there is no promise of an after-life. Therefore, enjoy your life while living and take your ease before death. Everything being determined by the

[1] Op. cit., xx [2] Ibid. [3] Ibid., xi. [4] Ibid., iv.

law of nature, why should you worry over virtue and meditate for goodness? And why should you sacrifice yourself for the benefit of others? Why should there be government while government is only in vain? Public life implies self-sacrifice, and self-sacrifice is self-spoiling and self-depreciation. Above all, it cannot settle the world into order[1]:—

> *Loyalty* cannot set the sovereign at ease, but perhaps may spoil one's body; righteousness cannot help the world, but perhaps may do harm to one's life. The sovereign's peace not being brought about by loyalty, the fame of the loyal dwindles to nothing, and the world deriving no profit from righteousness, the fame of the righteous amounts to naught.

Such a great statesman as Tzŭ Ch'an claimed to know how to regulate external things while the things do not necessarily and permanently become regulated, and yet his body has still to toil and labour. "But if anybody knows how to regulate internals, the things go on all right, and the mind obtains peace and rest."[2] The method of regulating internals, being in harmony with the human heart, "can be extended to the whole world, and there would be no more princes and ministers."[3] Only if everybody knows how to love and regulate himself and does not hurt others, there need not be any ruler or government. It is futile to advocate either moralism or legalism or both. Self-love—the preservation and expression of the personal self—is the primary duty and the natural virtue of all mankind that can supersede both moralism and legalism. Such an extreme type of egoism acknowledging no claims of the sovereign and recognizing no authority beyond one's own self as Mencius understood in his day, was eventually condemned as "anarchism".[4]

Besides hidden pessimism Yang Tzŭ's philosophy of happiness offered open optimism, too, promising the natural blessings of self-love, which he advocated to such an extreme that he would not part even with a hair of his body for the benefits of others. He argued[5]:—

> If the ancients by injuring a single hair could have rendered a service to the world, they would not have done it; and had

[1] Op. cit., xix. [2] Ibid., ix. [3] Ibid.
[4] 楊氏爲我是無君也. *Works*, Bk. III, pt. II, chap. IX, 8.
[5] Op. cit., viii.

> the empire been offered to a single person, he would not have accepted it. As nobody would damage even a hair, and nobody would do a favour to the world, the world was in good order.

Again, he said[1]:—

> The ancients knew that all creatures enter but for a short while into life, and must suddenly depart in death. Therefore they gave way to their impulses and did not check their natural propensities.

The only chance of man is his individual life. Therefore, be indifferent to all chances save this, enjoy your life, and follow your own inclinations. This is the golden rule of life with the ultimate perfection of the ego as its ideal.

The art of life is, therefore, the study and cultivation of the senses. Denying the existence of any god and the immortality of the soul Yang Chu found the cult of the senses to be his only possible religion which had no place for ceremonies. Instead, he advocated the cultivation of the senses and the gratification of them by the simplest means. "How can anybody possessing four things, a comfortable house, fine clothes, good food, and pretty women, still long for anything else?"[2] If all action be guided by the senses, peace and order will be realized in the world. The only motivating factor of social conduct is then neither government nor conscience nor anything else but the spontaneous impulses of the human organism.

E ALTRUISM ACCORDING TO THE WILL OF HEAVEN—MO TZŬ

Universal Dictates of the Will of Heaven.—Before Yang Tzŭ was born, his greatest rival thinker Mo Tzŭ (named Mo Ti, 470–391 B.C.) had already preached universal altruism against individual egoism, indeterminism against fatalism, and asceticism against hedonism. This man arose as the most enthusiastic social physician of his age, critically analysing the most fundamental pathological symptoms of the existing community for which he propounded remedies one after another. Thus, the whole system of his teachings

[1] Op. cit., xi. [2] Ibid., xxv.

as laid down in his writings, can be regarded as a social diagnosis of the Chinese community in his times.

Like Jesus Christ, Mo Tzŭ started from revolt and passed over to reform. The formalism and externalism of Confucian teachings was in his eyes but so much Pharisaism[1]:—

> In the teachings of the Confucianists there are four principles sufficient to ruin the empire. The Confucianists hold Heaven is unintelligent, and the ghosts are inanimate. Heaven and spirits are displeased. This is sufficient to ruin the world. Again, they practise elaborate funerals and extended mourning. They use several inner and outer coffins, and many pieces of shrouds. The funeral procession looks like houses moving. Crying and weeping last three years. They cannot stand up without support and cannot walk without a cane. Their ears cannot hear and their eyes cannot see. This is sufficient to ruin the world. And they play the string instruments and dance and sing and practise songs and music. This is sufficient to ruin the empire. And, finally, they suppose there is fate and that poverty or wealth, old age, or untimely death, order or chaos, security or danger, are all predetermined and cannot be altered. Applying this, those in authority, of course, will not attend to government and those below will not attend to work. Again, this is sufficient to ruin the world.

Whatever he advocated in place of Confucianism, however, was always a logical outcome of his theological approach coupled with his utilitarian conception of human conduct and melioristic view of life. As a great logician, he elaborated the famous three tests of every doctrine[2]: the test of its "basis",[3] the test of its "verifiability",[4] and the test of its "applicability".[5] Yet because he overestimated the logical function of reason, he underestimated the psychical effect of emotion upon conduct which was the basis of weakness through his ethical and political teachings.

Just as the Hebrew prophets appealed to Yahweh for authority, Mo Tzŭ resorted ultimately to the will of Heaven. For him, Heaven was not so much a metaphysical entity as a personal creator, supervisor, and judge of mankind.

[1] *The Ethical and Political Writings of Motse*, Y. P. Mei's tr., chaps. xlvii, p. 259.

[2] On examining any doctrine, one must see (1) if its basis is founded on the will of Heaven and spirits, and the deeds of the ancient kings; (2) if it is to be verified by the books of the early kings and by the senses of hearing and sight of the common people; and (3) if it is to be applied in government and brings benefits to the country and the people.

[3] 本. [4] 原. [5] 用.

Heaven is all-inclusive and impartial in its activities, abundant and unceasing in its blessings, and lasting and untiring in its guidance. It loves, teaches, and benefits man universally without discrimination, claiming all, accepting offerings from them, and punishing the wicked. The reason for the disorder in the world, according to Mo Tzŭ, was simply this, that the gentlemen in the world do not understand the will of Heaven and therefore do not do what Heaven desires and avoid what Heaven abominates [1]:—

> If the gentlemen in the world really desire to practise magnanimity and the righteousness and be superior men, seeking to attain the way of the sage-kings on the one hand and to procure blessings to the people on the other, they must not neglect to understand the will of Heaven.

Righteousness is the standard to be given by the superior to the subordinates. The highest superior who gives all men the ultimate standard, is Heaven. Heaven desires righteousness and abominates unrighteousness. Righteousness originates with Heaven, and as willed by Heaven is the standard with which the world will become orderly. The standard of righteousness is obedience to the will of Heaven. Obedience to the will of Heaven brings about rewards; disobedience to it, punishments. The ancient sage-kings revered Heaven in the highest sphere, worshipped the spirits in the middle sphere, and in the lower loved the people. "Thereupon the will of Heaven proclaimed:—

> All those whom I love these love also, and all those whom I benefit these benefit also. Their love to men is all embracing and their benefit to men is most substantial.

And so, they were raised to the honour of Sons of Heaven and enriched with the heritage of the empire." [2]

To observe the standard of righteousness is to obey the will of Heaven. To obey the will of Heaven is to practise the precepts of Heaven—the dictates of its will. The dictates of the will of Heaven can be reduced to two fundamentals: Love universally, and benefit others. From the ruler to the mass, he who obeys the will of Heaven, loving universally and benefiting others, will eventually obtain

[1] Op. cit., chap. xxvii, p. 174.
[2] Ibid., chap. xxvi, p. 150.

rewards; or else, punishments. So did the ancient kings. The practice of universal love is the right way of obeying the will of Heaven.

The motive for universal love Mo Tzŭ found in obedience to the divine will. It was regarded not as a natural instinct on the psychological ground, but as a religious duty logically derived from the will of Heaven just like the universal brotherhood of men from the universal fatherhood of God. While believing that universal love could reform society, he did believe in human sympathy as Confucius did, but denied human discrimination and graded morality. Universal love stands for the masses; partially graded love as embodied in the five relations, for the nobles only. As partiality against one another is the cause of the major calamities in the empire, then partiality is wrong. It must be replaced by universality, which can be done through the general practice of universal love. If universal love is the cause of the major benefits in the world, then we must proclaim universal love as right. Therefore, everybody must be magnanimous and adopt universal love as the end and motive of conduct. So did the ancient sage-kings.

It is no accident that as two rival systems of thought praising "action" and blaming "inaction" alike, Confucianism and Moism became so incompatible that their antagonism continued for centuries. Such a principle as that of universal love without discrimination Mencius condemned as not acknowledging the peculiar affection due to a father,[1] and therefore detrimental to society. Put in modern words, he would have called Mo Tzŭ a "communist". On the theoretical side, their conflict was even more serious than this. The Confucianists, notably Mencius, advocated jural rigourism, drawing a clean-cut line between the irreconcilable motives of profit and duty, benefit and righteousness. Mo Tzŭ's ethics, however, is teleological and utilitarian. He merged profit and duty, benefit and righteousness, into one and the same ground, and that is "utility" (*li*)[2] which is the calculated end of the individual's conduct with necessary reference to the general welfare. Thus, while taking motives not so seriously as

[1] 墨氏兼愛是無父也. *Works*, Bk. III, pt. II, chap. IX, 9.
[2] Not 體 nor 用 but 利

consequences, Mo Tzŭ attempted to reconcile morality and legality by means of their common criterion—the concept of universal "utility". Since mutual love always presupposes mutual profit, morality and profitability cannot exist apart from each other.[1] That which is universally useful is good; that which is good must be universally useful. Beyond any doubt, the Confucianists would condemn such a universal utilitarianism as heretic. "Mo Ti was prejudiced," said Hsün Tzŭ, "towards utility and did not know the elegancies of life . . . If we consider the way of life (*tao*) from the standpoint of utility, it will merely be seeking profit."[2]

Principles of Political Control.—"Love universally, and benefit others." If these had been means of control founded on the will of Heaven and practised by the ancient sage-kings at all, they must be applicable in government and bring benefits to the country and the people. Since it is not fate but the conscious will of Heaven that governs the world, the prosperity of a country just as the success of an individual is due to obedience to the will of Heaven.

If the government does not know the proper standard of administration, or if it does not observe it even though it knows it, trouble is bound to ensue. What should be taken as the proper standard of government? Neither the parents nor the teacher nor the ruler but the will of Heaven, and that is righteousness according to the doctrine of universality, and not force, which is the basis of government in the doctrine of partiality. Thus, Mo Tzŭ established the will of Heaven as the righteous standard of all principles and policies of political administration "just as the wheelwright uses his compasses as a standard and the carpenter uses his square".[3]

The central interest of the wise ruler lies in the maintenance of order among the people and the avoidance of confusion in the world. To do this, he must unify the standards and viewpoints prevailing among the people. Now, this can be done, according to Mo Tzŭ, only by following the principle of "identification with the

[1] Liang Ch'i-ch'ao brought this point out very clearly in his *History of Chinese Political Thought* (L. T. Chen's tr., p. 86).
[2] Works, xxi, 5. [3] Mei, op. cit., chap. xxvii, p. 170.

superior",[1] which is the foundation of government. As a social contract theorist, Mo Tzŭ traced the origin of kingship to the choice of the wise and virtuous by Heaven in the natural state. In the beginning of human life, when there was yet law and government, everybody thought of his viewpoint as right and conformed to his own standard while disproving those of others. There was constant strife and disorder in the absence of a ruler who could unify their ideas and patterns. Therefore, Heaven chose the wise and virtuous in the world, charging him with the duty of keeping the people in order. "What the superior thinks to be right all shall think to be right; what the superior thinks to be wrong all shall think to be wrong . . . To identify one's self with the superior and not to unite one's self with his subordinates—this is what deserves encouragement from above and praise from below. *Or else, it is what deserves punishment from above and condemnation from below.*"[2] The highest superior is Heaven. Therefore, the ruler must identify the people—their standards—with the will of Heaven while himself constantly keeping an alert eye on the will of the unspoiled mass in which the will of Heaven is embodied.

As to how to make the people identify themselves with their superior, Mo Tzŭ propounded on the part of the ruler the principles of altruism and utilitarianism[3]:—

> Whoever orders his people to identify themselves with their superior must love them dearly. For the people will not obey orders except when they are ordered with love and held in confidence. Lead them with wealth and honour ahead, and push them with just punishment from behind.

The chaotic condition was again due to want of mutual love, and therefore it could be altered by the way of universal love and mutual aid. He who loves others is loved by others, he who benefits others is benefited by others. Any superior must encourage universal love and mutual aid with rewards and commendations and threaten its reverse with punishments.

Universal love is the way of the sage-kings. It is the basis of peace and order, and the route to absolute equality

[1] 尚同
[2] Op. cit., chap. xi, p. 80. Italics mine.
[3] Ibid., chap. xiii, pp. 85–6.

though not to absolute freedom. Therefore, Mo Tzŭ said [1]:—

> The gentleman would do well to understand and practise mutual love; then he would be gracious as a ruler, loyal as a minister, beneficent as a father, filial as a son, courteous as an elder brother, and respectful as a younger brother. So, if the gentleman desires to be a gracious ruler, a loyal minister, a beneficent father, a filial son, a courteous elder brother, and a respectful younger brother, universal love must be practised. It is the way of the sage-kings and the great blessing of the people.

It is from universal love that the ruler derives his principles of governing the people. First of all, it is his task to promote the wise and good with rewards and threaten the wicked with punishments. Anybody, however closely related to him, if not virtuous at all, must be visited with penalty. On the other hand, the virtuous, be he a stranger to the ruler, must be exalted with no discrimination against his handicap. This is what Mo Tzŭ termed the "exaltation of the virtuous".[2]

Therefrom follows his teaching the ruler how to benefit the people. The sage-king, as he said, would economize all expenses in order not to levy heavy taxes from the people, cutting out all expenditures to the limits of inevitable needs, and spending no money and energy that does not bring additional utility to all. He would not wage any offensive war not only that it is wasteful but also that it is unrighteous as directed against the will of Heaven. But Kings T'ang and Wu staged rebellious wars against tyrants, and Yu suppressed the wild tribes who had caused disorders. What they did, Mo Tzŭ called not "attack" but "punishment"[3]—punishment by the will of Heaven.

Finally, from the strictly utilitarian standpoint he condemned both rites and music. In order that the wealth of the individual and prosperity of the country can be increased, wasteful expenditures for elaborate funeral and extended mourning must be saved. If spirits and ghosts are not believed in, sacrifices and ceremonies are nonsense;

[1] Op. cit., chap. xvi, p. 106. Even only from this passage we can see Mêtzŭ's conception of Mo Tzŭ's doctrine of universal love is not right. (v. *supra*, p. 189.)

[2] 尚賢 [3] 誅, op. cit., chap. xxx, p. 121.

if they are believed in, extravagance is not necessary. Since ghosts are real, sacrifices and ceremonies are only so much needed as enough to express one's belief in them. Similarly, if rites cannot bring additional benefits to the people, how much less will music do? Notwithstanding its continual development since the days of the ancient sage-kings, this has been the rule; the more elaborate music the ruler has, the less efficient government he does. What the people are in the worst need of is food, clothing, shelter and rest. To these things music is of no use; of them it will deprive the people. The same is true with other fine arts. Therefore, it is wrong for a ruler to employ rites and music as instruments of political control. This view of Mo Tzŭ as so much opposed to material refinements and cultural values, Hsün Tzŭ condemned as "obscurantism",[1] and compared this founder of universal altruism and utilitarianism to "a blind man regarding white and black", or to "a deaf man regarding harmony and noise", in regard to the right way (*tao*)—the way to order.[2]

F LEGALISM UNDER IMPERIAL DESPOTISM—KUNG-SUN YANG

Legalism versus Moralism in Practice.—Most typical of the legalist school in ancient China was Kung-sun Yang—popularly called Lord Shang—the greatest legist both in theory and in practice. His life presented a dramatic account of the interaction between individual and community; his work a desperate struggle of legalism against moralism. In the State of Ch'in[3] which he transformed from an insignificant frontier country into the

[1] *Works*, xx, 18.
[2] Ibid., xx, 2.
[3] The State of Ch'in, being secluded to the north-western borders of China Proper, had certain advantages as well as disadvantages over the rest of the warring States. As the traditional policy of the Chinese towards the surrounding barbarous tribes preferred assimilation through civilization and intermarriage to isolation, extermination, and enslavement, it was quite natural that within the State of Ch'in, while the barbarians were as yet assimilated, orthodox Chinese cultural creeds were not well followed up by those people through whose veins alien blood was running in considerable amount. Consequently, for centuries the people had been

strongest power among the warring states, and, in fact, which alone could allow him to carry strict legalism into practice,[1] he was an alien by birth: he was born a descendant of the family of Wei. In his youth he indulged in the study of criminal law particularly, and later served Kung-shu Tso, the minister of Liang-wei. The latter clearly recognized his ability, and from his death-bed he recommended to King Hui (370–319 B.C.)[2] the promising young man as his successor while insistently telling the king that Yang must be employed otherwise not allowed to leave the country. Such a far-sighted counsel, however, struck the self-seeking ruler as nonsense. He neither appointed Yang state councillor nor put him to death.

No sooner than his patron Kung-shu Tso had died, Kung-sun Yang heard of the order issued by Duke Hsiao of Ch'in, inviting the capable men throughout the country, in order to restore the heritage of Duke Mu, and to recover the lost territory in the east. Immediately he made his way westward to Ch'in and through the introduction of Ching Chien, a favourite of the duke, had an audience with him. At the close of three interviews, Yang won perfect confidence from the duke, who meanwhile trusted him with all state affairs. On initiating the strong policy, he succeeded in refuting the conservative traditionalism held by Kan Lung and Tu Chih, two older ministers, and convincing Duke Hsiao of the necessity of radical changes in the law and of the advantage in adopting strict legalism. Finally,

looked down upon as semi-barbaric. With the death of Duke Mu (659–621 B.C.), who had elevated Ch'in to the level of the Lord Protector, the national prosperity was at its ebb especially because a series of internal disturbances took place. Coming into the period of the Warring States, Ch'in was still discriminated against as an obscurantist. When the able and ambitious Duke Hsiao (361–338 B.C.) began to rule over the then-confined territory scarcely populated with sturdy farming people, he at once issued an edict of encouragement an order to the effect that whoever could enrich and strengthen his country by means of some clever contraptions should be rewarded fief and rank. It was on such a friendly occasion that Kung-sun Yang (?—d. 338 B.C.) rushed, in 361 B.C., to the need of him and laid down the basis of the later supremacy of Ch'in.

[1] Certain points of similarity between the State of Ch'in and the peasant state of ancient Russia confirm that legalism is always preferred or developed on account of its enforceability among a group of people containing heterogeneous elements, on account of its communicability in an empire-building nature, and with its uniform compulsion easily accepted by the illiterate, ignorant, hardy, and rigid law-abiding mass.

[2] In fact, Hui did not bear the title of king before 335 B.C.

Kung-sun Yang fixed the mandate whereby the laws were altered [1]:—

> He ordered the people to be organized into groups of fives and tens mutually to control one another and to share one another's punishments. Whoever did not denounce a culprit would be cut in two, whoever denounced a culprit would receive the same reward as he, who decapitated an enemy, whoever concealed a culprit would receive the same punishment as he, who surrendered to an enemy. People, who had two males or more (in the family), without dividing the household, had to pay double taxes. Those, who had military merit, all received titles from the ruler, according to a hierarchic ladder. Those, who had private quarrels, were punished according to the severity of their offence. Great and small had to occupy themselves, with united force, with the fundamental occupation of tilling and weaving, and those who produced a large quantity of grain or silk, were exempted from forced labour. Those, who occupied themselves with secondary sources of profit, and those who were poor through lazyness, were taken as slaves. Those of the princely family, who had no military merit, could not be regarded as belonging to the princely clan. He made clear the distinctions between high and low, and between the various ranks and degrees, each according to its place in the hierarchy. He apportioned fields, houses, servants, concubines, and clothes, all differently according to the families. Those, who had merit, were distinguished by honours, while those who had no merit, though they might be rich, had no glory whatever.

To carry such strict legalism into practice, Yang proved before the people of Ch'in the good faith in fulfilling all promises of rewards and threats of penalties. When the Crown Prince infringed the law, he said to the duke: "It is owing to the infringements of the highly placed, that the law is not carried out. We shall apply the law to the Crown Prince; as, however, he is Your Highness's heir, we cannot subject him to capital punishment. Let his tutor, Prince Ch'ien, be punished and his teacher, Kung-sun Chia, be branded." [2] The enforceability and universality of the law was now obvious. Therefrom the efficacy of legalism followed [3]:—

> The following day, the people of Ch'in all hastened into the law. When it had been in force for ten years, the people of Ch'in greatly rejoiced: things dropped on the road were not picked up, in the mountains there were no robbers; families were self-supporting,

[1] Ssu-ma Ch'ien, *Historical Records*, trans. by J. J. L. Duyvendak in his *The Book of Lord Shang* (chap. II, sec. 2, a).
[2] Ibid. [3] Ibid.

> and people had plenty; they were brave in public warfare and timid in quarrels, and great order prevailed throughout the countryside and in the towns. From among those of the people of Ch'in, who had at first said that the mandates were inappropriate, some came to say that the mandates were appropriate.

Nobody was permitted to discuss the mandates. All the critics of the existing law were condemned as disorderly and therefore banished to the frontiers. Thereupon, none of the people dared to discuss the mandates any more.

Legalism versus Moralism in Theory.—The ultimate goal of the State of Ch'in, as formulated by Kung-sun Yang, was the conquest of the whole empire, All-under-Heaven. Since he had successfully carved a new environment in Ch'in where his ability could be practised and himself realized, he became entirely devoted to the search for the right way to an imperial order under Ch'in's despotism. To maintain uniformity of purpose which is necessary to the attainment of supremacy, he always kept the actual conditions of life in view. To him, conquest is the most immediate and therefore the necessary step to the attainment of supremacy in the world. But conquest needs arms and food. Therefore, it is prerequisite to foreign conquest that the State of Ch'in must be enriched and strengthened. The secret of the administration of a country lies in the examination of what is essential, and that he finds in farming and fighting. Though agriculture involves hardships and war dangers, if the profit springs from the soil, the people will use their strength on the farms to the full; if fame comes from war, then they will fight to death. "Therefore my teaching," said Kung-sun Yang, "is to issue such orders that people, if they are desirous of profit, can attain their aim, only by agriculture, and if they want to avoid harm, can only escape it by war."[1] Thus, legalism is the only way militarism and physiocracy can be promoted.

The basis of the country and the ruler is force.[2] The government and the people are the two relative factors of the state. "If the people are stronger than the government, the state is weak; if the government is stronger than the people, the army is strong."[3] Therefore, strength on

[1] *The Book of Lord Shang*, par. 25, 11 b, p. 328.
[2] Ibid., 11 a, p. 325.
[3] Ibid., par. 26, 3 a, p. 308.

the part of the people should be produced for the benefit of the state. This can be done only by means of compulsory laws. In order to maintain the enforcing authority of the law, the state must centralize power, curtail the hampering privileges of the powerful nobles, and dispense with all cultural pursuits on the part of the people so that they will not talk about the law and act according to private moral standards. Hence, government not by virtue, but by force.

In the administration of a country it is imperative that legalism supersede moralism, and militarism culturalism. In order that the strength of the country can be consolidated, the ruler must make the people obey all laws. But unless they are simple and ignorant, they are very likely to keep discussing orders and criticizing laws. Sophisticated people are not obedient and not easy to control. Rites, morals, music, and fine clothing always distract the people's attention from their daily work. In these things people consume too much and never produce. Therefore, Kung-sun Yang enumerates six parasitic functions in a state which he condemns as "six lice": care for old age, living on others, beauty, love, ambition, and virtuous conduct.[1] "In administrating a country," he affirmed, "one should value single-mindedness of the people; if they are single-minded, they are simple, and being simple, they farm; if they farm, they easily become diligent, and being diligent, they become rich."[2] On the contrary, if in a country there are rites, music, odes, history, virtue, moral culture, filial piety, fraternal regard, integrity, and sophistry, the people will be stronger than the government and the ruler cannot make them fight.[3] Any country governed by these ten things is doomed to dismemberment.

For Kung-sun Yang, just as for Thomas Hobbes, law (*fa*)[4] is not subordinate to morals (*li*)[5] but must supersede it. Morality cannot be taught; therefore, moral rule cannot hold[6]:—

> "The benevolent may be benevolent towards others, but cannot cause others to be benevolent; the righteous may love others, but cannot cause others to love." From this I know that benevolence and righteousness are not sufficient for governing the empire.

[1] Op. cit., par. 4, 11 a, p. 207. [2] Ibid., par. 8, 2 a, p. 238.
[3] Ibid., par. 4, 11 b, p. 199. [4] 法. [5] 禮.
[6] Ibid., par. 18, 11 a–11 b, pp. 208–4

Again, it is the same conviction cherished by these two legists that all morals whatever holds well only where there is law prevailing. In the following passage Kung-sun Yang makes a great challenge to any moralist [1] :—

> What is called righteousness is when ministers are loyal, sons filial, when there are proper ceremonies between juniors and seniors, and distinctions between man and woman, when a hungry man eats, and a dying man lives, not improperly, but only in accordance with righteousness. This, however, is the constant condition, when there is law. A sage-king does not value righteousness, but values the law.

Thus, law is the only source of morals. The only virtue which the people can be proud of, is obedience to law, and that virtue in origin has nothing to do with morals at all. Nay, all virtue rather originates in punishments. "Punishment produces force, force produces strength, strength produces awe, awe produces virtue. Virtue has its origin in punishments." [2] The ultimate motive of all social conduct must then be the sense of fear. If so, *legality is the origin of morality*.

Law is not only the authoritative principle determining the action of the people but also the basis of government. It is the sole objective, impersonal standard to which all conduct must conform. Since the people are single-minded and ignorant, only the ruler is given full legislative authority, who is accordingly the chief executive, supreme judge, and sole legislator at the same time. But in actual administration, Kung-sun Yang draws a sharp distinction between law officers and executive officials. When Duke Hsiao asked him how to make all government servants and people throughout the country understand clearly the laws and apply them right after their establishment, he said in reply [3] :—

> There should be constituted, for the laws, government officers, who are able to understand the contents of the decrees and who should be the regulators of the empire. Then they should memorialize the Son of Heaven, whereupon the Son of Heaven would personally preside over the law and promulgate it. All should then unite to their inferiors the mandates they received, and the law officers should preside personally over the law and

[1] Op. cit., par. 18, 11 b, p. 294.
[2] Ibid., par. 4, 18 a, p. 304.
[3] Ibid., par. 28, 12 a, pp. 287–8.

> promulgate it. When people venture to neglect practising the items, named in the promulgations of the officers presiding over the law, then each one is punished according to the item in the law which he has neglected . . . Whenever government officials or people have questions about the meaning of the laws or mandates, to ask of the officers presiding over the law, the latter should, in each case, answer clearly according to the laws and mandates about which it was originally desired to ask questions. . . . Should the officers who preside over the law not give the desired information, they should be punished according to the contents of the law, that is, they should be punished according to the law about which the government officials or people have asked information.

It is clear that public promulgation and intelligible communication are necessary steps in the establishment of laws. Besides impersonalism, Kung-sun Yang's theory of law contains another important element: non-favouritism, which is the source of its uniformity in character and universality in function. Numerous rules causing confusion, a single pattern leads to order, and that is the law. "When the law is fixed, then those who are fond of practising the six parasites perish."[1]

Likewise, it is owing to the impersonalism and non-favouritism of the law that all citizens of the country from the Crown Prince to the mass can be prosecuted. Whether government officials or law officers, if they do any wrong at all, they must be held guilty[2]:—

> If in their treatment of the people, the government officials do not act according to the law, the former should inquire of the law officer, who should at once inform them of the punishment fixed by the law. The people should then at once inform the government officials, formally, of the law officer's statement. Thus the government officials, knowing that such is the course of events, dare not treat the people contrary to the law, nor do the people dare infringe the law.

However, one exception must be made with the ruler himself, whose responsibility of maintaining peace, order, security, and prosperity, in the state and for the people, is the source and sanction of the law. Recognizing neither the opinion of the people nor moral law, Kung-sun Yang leaves out the problem of the right of revolution, and yet even though he might have discussed it, he would deny it

[1] Op. cit., par. 13, 6 a, p. 264.
[2] Ibid., par. 28, 13 a, pp. 280–1.

because there is apparently left no room for its justification. He was really the inaugurator of the doctrine of amoralism in China, and advocated the supremacy of positive law just as ancient Roman jurists absented all ethical elements from the field of jurisprudence.

To provide against eventualities, however, certain measures must be figured out. First of all, he advocates with emphatic terms "good faith" in legalism. The only virtue which the government can claim for itself, is good faith. It is the basic principle in carrying any strict legalism into practice. If the ruler have system and be a man of his word, the people will have peace. If he expects his people to obey the law, he must keep his word in rewarding those who have merit and punishing the wrong-doers. This measure may be looked at as the way of preventing any ruler from becoming a tyrant.

As the second measure, in order that legal compulsion may not turn into sophistic deception, Kung-sun Yang propounded the matter of terminology as an essential step to legalism through which everybody's rights and duties are defined with unequivocal terms in the tendency towards order. All definitions in the legal code must be as exact as possible—as exact as weights and measures. The lack of clarity of laws and definiteness of their titles always causes disorder. "That a hundred men will chase after a single hare that runs away, is not for the sake of the hare, for when it is sold everywhere on the market, even a thief does not dare to take it away, because its legal title is definite."[1] In the days of the sage-kings there were no victims of capital punishment, not that capital punishment did not exist, but that the laws, which were applied, were clear and easy to understand.[2] Thus, it is the strong conviction of Kung-sun Yang that clear knowledge of the law inevitably leads to legal conduct.

Finally, as unchanging laws are liable to become traditional bias, all laws must be flexible according to the ever-changing conditions in the environment. Every wise ruler must therefore watch for the needs of the times. The real wise way of organizing a country is not to imitate antiquity, nor to follow the present; but to govern in

[1] Op. cit., par 26, 13 b, pp 351–2.
[2] v. Ibid., par 26, 14 a, p. 355

accordance with the needs of the times, and to make laws which take into account the prevailing customs of the people and the fundamental things of the state. That was why the great legist started his epoch-making contribution to the State of Ch'in from the alteration of the laws.

Principles of Despotic Government.—There are three fundamental things, according to Lord Shang, which the government must needs perform: establishing laws, undertaking enterprises, and distributing rewards. When laws are well established, the people are made not wicked; when enterprises are undertaken, the required ability is practised; and when rewards are distributed, the army is strong. In general, rewards are a civil measure and penalties a military, which altogether form the summary of the law. They are the means of political control by which the government can make the people do according to its wish. Hence, "Govern by punishments and wage war by rewards; seek transgressors and do not seek the virtuous."[1] This is the Golden Rule of legalism under imperial despotism.

The cultivation of the system of rewards and penalties is necessary in order to support the teaching of uniformity of purpose. "The way in which a sage administers a state is by unifying rewards, unifying punishments, and unifying education."[2] The unification of rewards aims at the supremacy of the army; that of punishments at the enforcement of orders; and that of education at the obedience of inferiors to superiors. The ultimate goal of all these measures lies in the condition of absolute non-interference—to abolish interference by means of interference[3].—

> The climax in the understanding of rewards is to bring about a condition of having no rewards, the climax in the understanding of punishments is to bring about a condition of having no punishments, the climax in the understanding of education is to bring about a condition of having no education.

It is expected that as soon as the ruler has completely established his administration and attained supremacy, without the need of rewards the people will love him, and without the need of penalties the people will do their duties to death.

[1] Op. cit., par. 13, 7 b, pp. 282-3.
[2] Ibid., par. 17, 4 a, p. 274.
[3] Ibid., par. 17, 4 b, p. 275.

More attractive and significant than anything else in the legalism of Lord Shang is his theory of penalty. According to him, law originated like weights and measures as a model, and was established to prohibit wickedness and depravity. Therefore, in purpose it is deterrent "The idea of punishments is to restrain depravity and the idea of rewards is to support the interdicts." [1] Though the people dislike penalty, yet it is only by means of what they dislike that they can be made correct [2]:—

> If you govern by punishment the people will fear. Being fearful, they will not commit villainies, there being no villainies, people will be happy in what they enjoy. If, however, you teach the people by righteousness, then they will be lax and if they are lax, there will be disorder, if there is disorder, the people will suffer from what they dislike What I call profit is the basis of righteousness, but what the world calls righteousness is the way to violence. Indeed, in making the people correct, one always attains what they like by means of what they dislike, and one brings about what they dislike by means of what they like

Thus, in orderly countries the more there are punishments the rarer are there rewards. "In a country that has supremacy, there are nine penalties as against one reward; in a strong country, there will be seven penalties to three rewards and in a dismembered country, there will be five penalties to five rewards." [3]

It is the nature of the people to be orderly, but it is circumstances that cause disorder [4] Therefore, in the application of punishments, "light offences should be punished heavily; if light offences do not appear, heavy offences will not come. This is said to be abolishing penalties by means of penalties, and if penalties are abolished, affairs will succeed." [5] All penalties must be made clear to the people. If they are clear, there will be great control, or else, there will be six parasites. A good ruler punishes those who infringe the laws but does not reward those who obey them. If penalties are heavy, rank becomes the more valuable; if rewards are light, punishments the more awe-inspiring To secure the application of laws, the ruler must adopt

[1] Op. cit., par. 6, 7 a, p. 223
[2] Ibid., par. 7, 10 a, pp. 229–30
[3] Ibid., par. 4, 12 a, pp. 201–2.
[4] Ibid., par. 6, 1 b, p. 209.
[5] Ibid., par. 13, 9 a, pp. 259–9.

the method of mutual control by causing three classes of relations to be involved in the punishment of the criminal.

The means whereby a country is made prosperous, are farming and fighting; the weapons of imperialism are food and arms. The government must therefore undertake two enterprises—agriculture and warfare. Since the people are only interested in obtaining profit, which depends on what their superiors encourage, if the ruler honours farmers and soldiers, despises sophists and artisans, and ignores itinerant scholars, the people will take pleasure in agriculture and enjoy warfare. It is then necessary to limit the sources of rewards to one opening—namely, farming at home and fighting on the borders. Accordingly, only merit in any of these two kinds of employment can give any claim to rewards.

In such an agricultural state like Ch'in, Kung-sun Yang naturally took farming as the only promising industry—the only one whereby the country could be enriched. Moreover, if the people were devoted to agriculture, they would become single-minded and therefore obedient to the law. By all means they must be kept attached to the farm. With extreme physiocracy in view, it was imperative that provisions be so made that the people would all feel the necessity of living on their own agricultural products and cultivating waste lands on their initiative as well. Thus, feudalism was abolished, the state was divided into thirty-one districts. The whole population was required to be registered at birth and erased at death in order that nobody would escape farming and no land would remain fallow in the fields.[1] Non-registered people would not be allowed to pass overnight at any inn. Traffic was discouraged. People could not easily move from one place to another. Heavy taxes were imposed upon all merchandise. Export of food and rice was prohibited. In the hour of foreign war, everybody had the duty to take up arms. Immigration from the neighbouring states was encouraged with exemption from taxes and military service for three generations in the hope that, while a number of the original population were engaged in warfare, if the new-comers kept working on the farm, then even though the army might stay away for several months outside the frontier, agriculture at home would go

[1] Op. cit., par. 4, 12 b, p. 203.

on as usual and there would be no fear of the shortage of food supply.

A strong country must know both how to produce strength and how to reduce it. It must know how to reduce the people's strength for its own benefit and how to make the rich poor and the poor rich. To do this, war is one way. When a country becomes strong, it must wage war so that the people's strength will be reduced and rites and music and the six parasites will not arise. As a rule most of the people prefer farming to fighting. To re-enforce militarism, by the law ordinary conditions in rural life should be made so toilsome and military service such a sort of recreation that the farmers would look upon war as a timely rescue from their hard work and as a welcome chance for earning rewards.[1]

Both physiocracy and militarism Kung-sun Yang carried out as much as legalism. After he had enriched the country and strengthened the army, he started foreign conquest. His personal vengeance and the interest of Ch'in were one. Therefore, he challenged the State of Liang-wei. After Yang's complete destruction of the opposing forces and restoration of the occupied territory to Ch'in, King Hui of Liang-wei, who had once and for all considered him neither worth employing nor worth killing, regretted with a sigh that he had not followed Kung-shu Tso's advice. When Kung-sun Yang returned victorious to Ch'in, he was awarded fifteen cities in Shang, as fief, and was called Lord Shang. However, as Chancellor of Ch'in, he had been hard, cruel, and rarely bestowed favours, so that most of the members of the princely family and of the nobility—notably the Crown Prince—bore him a grudge. As Lord Shang he continued reprobating moralism and culturalism. In the meantime, Duke Hsiao died, and as soon as the Crown Prince was set up as his successor, the Lord of Shang was accused of planning a rebellion. He had to flee. On his way at Kuan-hsia, when he desired to lodge at an inn, he was told by the innkeeper that according to the law of the Lord of Shang he would be punished if he should receive any guest who could not be identified. Astonished at hearing this, Lord Shang heaved a sigh, saying: "Alas, that the

[1] Op. cit., par. 5, 2 a, p. 206.

worthlessness of the law should reach such a point!"[1] He left for Liang-wei, the neighbouring state nearest to Ch'in. But the people of Liang-wei refused to receive him Condemned as a rebel everywhere, nowhere abroad could he be admitted. So he had to re-enter Ch'in, and was killed in an unsuccessful military campaign. His corpse was torn to pieces by chariots as an expiatory punishment. He died, but his strong policy was kept as much in force as ever before until a century later the State of Ch'in conquered the whole empire completely. Anti-moralism and anti-culturalism, if these had been the basic factors of Kung-sun Yang's personal success and failure, must have proved true also of the State of Ch'in. In ten years after its annexation of the last one of the warring states, the empire was crushed into pieces—worse than the corpse of Lord Shang—by the rebels rising against its misgovernment

[1] Shih-chi, Ch'in, op. cit

CHAPTER VI

IDEAS VERSUS INSTITUTIONS

Agencies of Social Order in the Mediaeval East

In this chapter, while dealing with the *Agencies of Social Order in the Mediaeval East*, our main interest lies in the examination of those ideas as initiated by individuals which superseded the existing institutions in the mediaeval East, notably in China. The Middle Ages of China started from the Burning of the Books in 213 B.C. and ended with the establishment of the Sung dynasty (960–1279). During this period of Eastern mediaevalism ancient ideas became institutionalized and few new ideas appeared on the stage, so that order rather than progress and organization rather than initiation characterized the era. Therefore, we shall consider not only the various ways individual theories, philosophic schools, and religious systems, became institutionalized as agencies of social order in the mediaeval East, but also their principles of motivation and techniques of group-control. Among the six co-ordinate agencies of social order in the mediaeval East—Confucianism, Taoism, Buddhism, Hinduism, Mohammedanism, and Shintoism—only the first three will be studied because of the significance of their influence and uniqueness of their initiating ideas. Hinduism will be treated in subordination to Buddhism simply because it has no definite founder despite its unique rôle in maintaining social order in India. But a few remarks must be made before we pass over Mohammedanism and Shintoism.

Mohammedanism does have a founder of commanding personality. Yet as far as its principle of motivation and technique of group-control are concerned, it can be taken as a blend of Jewish legalism and Roman imperialism. It is the cosmopolitan view of Christianity peculiarly framed with the militant mentality of nomadic Arabs. Its only god Allah has been worshipped as a transcendent human personality ruling the world as an absolute despot. Mohammed (c. A.D. 570–632) regarded it as his prophetic mission to bring the whole of mankind into submission (*islam*) to Allah. Whether that submission be voluntary or compulsory, it does not matter, but obedience and disobedience to the will of Allah are believed to be visited with material rewards in a paradise and punishments in a hell respectively. The underlying motive of submission to Allah is then either the fear of pain or the hope of gain in the future. Like the Hebrews, the Mohammedans are regulated by their religion as law in their

daily life. The *Koran* completed right after Mohammed's death was from the beginning intended to be the fundamental religious and civil law of the adherents. Moreover, its influence was extended during the Middle Ages through military conquests rather than missionary efforts. Newly conquered heathens were at first compelled to choose between taxes and death, and later between Islam and taxes or death. Within its boundaries Islam appealed to laws and arms for the security of order, both religious and social. Its technique is compulsory, and therefore legal.

The principle of motivation and the technique of group-control pursued by Shintoism, in its political function, in Japan had been also compulsory, and purely legal before it absorbed Confucian and Buddhistic elements. Deriving its name "shinto" from the Chinese *shên-tao*[1] (meaning the way of God), and developed under the influence of Confucianism in particular, it was, in reality, an outgrowth of the ceremonial usages followed by the ancient priest-kings, which offered little or no teaching for the conduct of private individuals. It claims no founder but gives a mythical account of the divine origin of the *Mikado* (emperor)[2] which has been traced to Izanagi and Izanami—the Japanese Adam and Eve. The sixth descendant of the sun-goddess Amaterasu—daughter of the divine couple—led the invading tribes of the Yamato race (who had entered Japan probably from Korea) and waged a series of victorious battles against the Ainu aborigines. Thereupon he became the founder of the imperial dynasty in Japan, and has been reverenced as Emperor Jimmu (divine militarist). As the expansion of territory at the expense of the Ainu was regarded as indispensable, his successors made their influence felt through military conquest on the one hand and the popular practice of mikado-worship on the other. The sentiment of reverence for the *Mikado* permeated the soul of the Japanese so much that even in those days of the dictatorship of the *Shoguns*[3] (1192–1868 A.C.) the emperors could still win loyal homage from the people and recognize nominal supremacy over the real rulers of the country. Confucianism was first known to the royal family in A.D. 285 and the first Buddha was brought over to the imperial court in A.D. 584. In the meantime alien ideas began to mould Shintoism into an elaborate code of rites and rules of conduct. With the rise of the *Shogunate*, the first military dictator Yoritomo laid down certain precepts to regulate his militant subordinates, which became the germ of *Bushido*.[4] Thenceforth, the fighting class called "Samurai" fell under the sway of the knightly code evolved from the blend of Japanese militarism and Confucian moralism. Just as German warriors were pacified by chivalry in the mediæval West, so were the *Samurai*[5] tamed by *Bushido* in the Farthest East from mediæval days up to the recent past.

[1] 神道 [2] 御門. [3] 幕軍 [4] 武士道 [5] 武士.

A. THE ASCENDANCY OF CONFUCIANISM

Fall of Legalism.—The State of Ch'in owed legalism its success and failure alike. So did the fate of the legalist school rise and fall with Ch'in. The traditional strong policy of Ch'in swelled with the expansion of its territory. The immediate task undertaken by Ch'in Shih Huang Ti, who now claimed the title of the First Emperor of the Ch'in dynasty, was the rapid consolidation of power under his despotism. As soon as he completely annexed all the warring states in B.C. 221, he divided his dominions into thirty-six districts, thus putting an end to feudalism. The suddenly added elements of the population must be kept obeying the uniform law. To this it was deemed prerequisite by his prime minister Li Ssŭ to unify their thought, knowledge, and custom. At the first step came the unification of the various styles of the script with the one he had introduced. Then, the governmental control of educational headquarters conducted by private scholars, notably Confucianists. And finally, the suppression of free thinking, free writing, and free talking. This eventual issue seemed a predetermined one. The Burning of the Books in 213 B.C., and Burying Alive of the Literati in 212 B.C., both urged by Li Ssŭ and ordered by Shih Huang Ti, were merely logical consequences derived from the tyrannical legalism of Ch'in. Their premise prescribed the indispensable supremacy of state authority over individual freedom and the permanent control of intellect by politics.

Li Ssu (?–208 B.C.) was originally a Confucianist educated by Hsün Tzŭ. Both he and his fellow-disciple, Han Fei Tzŭ, were attracted to the master's theory of human nature, but turned the results thereof against the master. If human nature was originally evil at all, how could rites and music prohibit it from continuing evil? With the concluding conviction that the only means whereby man could be prevented from going bad and wrong ought to be rewards and punishments enforced by the law, they both turned to the legalist school, with the result that Han Fei Tzŭ became the greatest systematizer of its theory and Li Ssŭ the greatest exponent of its practice.

In 213 B.C. Shih Huang Ti requested of his subordinates opinions as to how to maintain his dynasty forever. When

Shun-yü Yüeh suggested traditional culturalism and moralism of the Confucian type, Li Sŭ rose in response to it, saying to the Emperor[1]:—

> Yüeh talks only of things belonging to the Three Dynasties, which are not fit to be models to you. At other times, when the princes were all striving together, they endeavoured to gather the wandering scholars about them; but now, the empire is in a stable condition, and law and ordinances issue from one supreme authority. Let those of the people who abide in their homes give their strength to the tools of husbandry, while those who became scholars should study the various laws and prohibitions. Instead of doing this, however, the scholars do not learn what belong to the present day, but study antiquity. They go on to condemn the present time, leading the masses of the people astray, and to disorder.
>
> At the risk of my life, I, the prime minister, say Formerly, when the nation was disunited and disturbed, there was no one who could give unity to it The princes therefore stood up together, constant references were made to antiquity to the injury of the present state, baseless statements were dressed up to confound what was real, and men made a boast of their own peculiar learning to condemn what their rulers appointed. And now, when Your Majesty has consolidated the empire, and, distinguishing black from white, has constituted a stable unity, they still honour their peculiar learning, and combine together; they teach men what is contrary to your laws. When they hear that an ordinance has been issued, everyone sets to discussing it with his learning. In the Court, they are dissatisfied in heart, out of it they keep talking in the streets. While they make a pretence of vaunting their Master, they consider it fine to have extraordinary views of their own. And so they lead on the people to be guilty of murmuring and evil speaking. If these things are not prohibited, Your Majesty's authority will decline, and parties will be formed. The best way is to prohibit them. I pray that all the Records in charge of the Historiographers be burned, excepting those of Ch'in, that, with the exception of those of officers belonging to the Board of Great Scholars, all throughout the empire who presume to keep copies of the *Book of Odes*, or of the *Book of History*, or of the works of the various schools, be required to go with them to the officers in charge of the several districts, and burn them, that all those who may dare to speak together about the Odes and the History be put to death, and their bodies exposed in the market-place, that those who make mention of the past, so as to blame the present, be put to death along with their relatives, that officers who shall know of the violation of these rules and not inform against the offenders, be held equally guilty with them, and that whoever shall not have burned their

[1] Ssŭ-ma Ch'ien, *op. cit.*, vi, tr. by James Legge in his *Chinese Classics*, vol. 4, pp. 8–9

> Books within thirty days after the issuing of the ordinances, be branded and sent to labour on the wall (namely, the Great Wall on the northern borders which was then under construction) for four years. The only Books which should be spared are those on medicine, divination, and husbandry. Whoever wants to learn the laws may go to the magistrates and learn of them.

This memorial was approved by the emperor as the imperial decision. Thousands of copies of the Books were burned with a ludicrous view to freeing the empire from her stagnant past. Gone were the books! But the scholars who had learned them by heart still could recite them from the beginning to the end without a single mistake. They kept talking on the classics in secret. In the following year (212 B.C.), upwards of 460 literati who had violated the imperial ordinance were buried alive in pits. The emperor's eldest son, Fu-su, who had remonstrated with his royal father on the ground that such measures against the followers of Confucius would eventually estrange all the people from their newly-established dynasty, was exiled from the Court to the Great Wall. With the Burning of the Books and the Burying Alive of the Literati the ideas of legalists to supersede the existing institutions reached the climax of victory.

But the climax is always a turning-point. The final overwhelming victory of the legists became the cause of their impending defeat. Their temporary success was doomed to the fate of morning dew. True to the prediction of Fu-su, the last measure of the strong policy—the cultural coup d'état—immediately alienated the people from the Ch'in family. Upon the death of Shih Huang Ti in 210 B.C., rebels sprang to their feet with independent banners hoisted throughout the empire. The imperial despotism of Ch'in was a short-lived one—paving a transitional period of scarcely half a generation (221–207 B.C.) beyond all the fictitious expectation of Shih Huang Ti. The capital, Hsienyang,[1] was occupied by Liu Pang in the year 207 B.C. At the beginning of the following year, Tzu Ying, grandson of Shih Huang Ti, and the third and last ruler of the Ch'in dynasty, met a merciless end in the hands of Hsiang Chi, descendant of a noble family from the former State of Ch'u, who recompensed tyranny with tyranny by sacking and burning the gorgeous imperial palace of Ch'in. Thus, this,

[1] West of Sianfu, Shensi Province.

with the House of Ch'in, legalism that once attained to supremacy crumbled to dust once and for ever.

The immediate reaction against Ch'in's tyranny was through and through reactionism—the same attempt to revive the ante-Ch'in status, both political and intellectual. The consensus of the leaders among the rebels was originally based on the revival of feudalism with the one whoever first went through the Pass of the Armor Gorge (Hanlinkuan) [1] into the capital of Ch'in as king. It was Liu Pang, founder of the Han Dynasty (206 B.C.–A.D. 8 and A.D. 25–220), who first went through the pass and occupied the capital, Hsienyang. When he was about to stay at the imperial palace, his subordinates, Chang Liang and Fan K'uai, stopped him and advised him to close the treasuries of Ch'in and lead his troops back to Pashang.[2] Thereupon, he called an assembly of the older and clever people from the various prefectures, and with good faith and compassion said to them [3]:—

> You elders have for a long time suffered the cruel laws of Ch'in. Whoever speaks evil of the laws should be put to death with his relatives, and whoever speak together should be executed at the market-place. Since I made with the other feudal princes the agreement that whoever first passed through the pass should be made their king, I am now entitled to become king ruling within the pass. I deem it necessary to promise you elders the enforcement of three articles of law only. Whoever murders anybody else shall die, whoever injures anybody else and whoever steals shall atone for crime. The rest of the laws of Ch'in shall be completely abolished, and the officials shall govern as peacefully as ever before. I came here simply on purpose to get rid of your harm, and not to entrench upon your rights by violence even a bit. Therefore, you should have no fear. Just now I am sending my troops back to Pashang only because I have to wait there for the princes to come and fulfil the agreement.

By this, the refutation of Li Sau was completed. To the freedom-thirsty people of Ch'in this liberating promise thus proclaimed sounded like the only sermon of salvation. It was on the ground of this provisional constitution that Liu Pang expected to start his new government as Han Kao Ti (206–195 B.C.) or the Initiating Emperor of the Han

[1] A famous pass in Honan Province near the border of Shensi.
[2] A strategic point on the way between the capital and the Pass of the Armor Gorge.
[3] Sse-ma Ch'ien, op. cit., vol (my trans.).

dynasty. Thus, the whole transition from Ch'in to Han—short but decisive—was the reaction of self-government against misgovernment. The less government, the better. Gone was legalism!

Struggle for Supremacy.—Back of the whole revolutionary as well as the reactionary movement, however, certain Taoistic ideas played an important part. As well brought out later by Chia Yi (198–165 B.C.) in his discourse on the "Mistakes of Ch'in",[1] the failure of Ch'in was due to its misapplication to the whole empire of the instruments of political control that had proved useful within its own state, and also due to the tyranny of Shih Huang Ti and his successors which was responsible for such a misapplication. The reaction was naturally directed against over-powerful despotism, first of all. Curious enough, the four greatest civil subordinates of Kao Ti—Chang Liang, Siao Ho, Ch'en P'ing, and Ts'ao Shan—were all earnest believers, if not orthodox adherents, in Taoism—notably in the doctrine of natural tranquillity. They believed action through inaction would accomplish everything, and therefore the less interference, the better. This belief to a great extent actually underlay their public careers as statesmen or diplomats or itinerant politicians. When Kao Ti jumped up to move his army against his strongest rival Hsiang Chi who had burned the palace, sacked the capital, and broke the agreement, all his able ministers urged him to wait with patience and tranquillity pending the wane of the power of the new tyrant. Only the softest could subdue the hardest, they said. Having taken such an advice rather sullkily, he finally, after four years' endurance, swept away all his rival's forces.

As a matter of practice the Taoistic doctrine of inaction through natural tranquillity could hardly be applicable to the aftermath of the turmoil caused by the transition. Therefore, the next phase of the reaction against Ch'in marked the reappearance of traditional moralism, wherefrom Confucianism set to struggling for supremacy. Yet Kao Ti did not know the efficacy of Confucianism as an agency of group-control until he employed Shu-sun T'ung, Lu Chia, and other Confucianists, who had survived the

[1] 過秦論.

460 buried Literati. In 201 B.C., when the empire again became tranquil, the emperor came to remark the unruly behaviour of his circle which he happened to notice at a royal banquet. The occasion gave a just cause for taking precautions to prevent further occurrences of the same thing so that Shu-sun T'ung ventured to persuade him of the encouragement of rites and morals. "While the Literati (namely, Confucianists) are good for no aggression, but fit for maintenance," he said to the emperor, may I select some scholars from Lu—*the native state of Confucius where they had received good training in rites and music*—and my pupils to collaborate with them in the working out of a code of Court Ceremony?"[1] This timely suggestion the emperor gladly accepted. The Great Scholar, Shu-sun T'ung, thereby began to bring thirty selected scholars and more than a hundred pupils out to the suburb for rehearsal every day. One month or so later he asked the emperor to review the Court Ceremony, which the latter enjoyed so much as to acknowledge therewith the honour and prestige of being an emperor.

Likewise, Lu Chia repeatedly explained the merit of the Odes and History to the emperor who was then too busy building his empire to listen to him. Finally, he argued before the emperor that he who had conquered the empire on horseback might not be able to hold it on horseback; that the permanent and safest way of government was the parallel employment of both military and cultural measures; and that had Ch'in governed the empire with benevolence and righteousness and taken the way of the ancient sage-kings as standard, it would have been questionable whether Han could have replaced Ch'in as the ruling dynasty of the empire. Thereupon, after being requested by Kao Ti, he wrote as memorials an account of the fall of Ch'in and the rise of Han as well as the waxing and waning of those countries of antiquity. He named his work "New Sayings"[2] in which he reiterated his whole argument upon metaphysical as well as ethical ground. Already won over to Confucianism, Kao Ti initiated imperial sacrifice to Confucius.

However, Kao Ti was too busy to build schools and

[1] Op. cit., xxvi (my trans.). Italics mine. [2] 新語.

recover lost books. The real renaissance did not take place until the year 191 B.C. when his son and successor, Hui Ti, repealed the persecution edicts against the Books and Literati. Yet during the first generation of the Han dynasty most officials as well as officers were too militant to pay much attention to ancient learning. The first attempt to search for ancient books was made by Wen Ti (179–157 B.C.). The triumph of Confucianism now became decisive: the so-called Literati were Confucianists mostly. Naturally the monopoly of the restoration work fell into their hands. Thus, an old man, called Fu Sheng, now over ninety years of age, was ordered by Wen Ti to restore those books which he had hidden in a wall while serving as a scholar of erudition during the Ch'in dynasty. Similarly, under the imperial patronage, K'ung An-kuo, a thirteenth descendant of Confucius, devoted himself to the study of those which he had found in the wall of his ancestral house. One after another, Confucian scholars emerged from obscurity. Famous Literati were appointed Great Scholars. In 174 B.C. a wholesale reform aiming at the adoption of Confucian teachings into government as over against the policies of Ch'in was memorialized to Wen Ti by a precocious Confucianist. This was the famous "Plans Towards Public Order"[1] elaborated by the Great Scholar, Chia Yi (198–165 B.C.). The initiative, however, was repudiated by many a conservative minister on the ground of his young age and immature experience, and therefore was not adopted by the emperor. Nevertheless, in order to get able men into his circle, the emperor had to select "wise and worthy", "square and upright", scholars in 165 B.C. from among the candidates elected all over the country, among whom a legist, Tsao Tso, stood first in the rank. The undertaking thus inaugurated was completely developed into the civil service examination later on during the Sui (A.D. 589–617) and the T'ang (A.D. 618–907) dynasties.

In fact, Wen Ti was then more or less inclined to legalism despite his taste for classical knowledge, while his empress believed in Taoism. His son and successor, Ching Ti (156–141 B.C.), found a favourite in Tsao Tso, while having

[1] 治安策.

no particular care for the Confucianists. Like Kung-sun Yang, opposed to Confucian doctrines, Tsao Tso started in 195 B.C. from the alteration of the laws whereby to decisively end the feuds of the princes in order to consolidate the power of the emperor. By this coup d'état, he aroused a serious opposition on the part of the princes with the immediate result that he was executed by his adversaries in the central government, although the rebellion was subdued in a month after his death for the cause of legalism.

Triumph of Confucianism.—With the reign of Wu Ti (140–87 B.C.) Confucianism realized the final triumph over all other schools, and has been in triumph ever since. In 140 B.C., when the new emperor came to the throne, he found Kung-sun Hung and Tung Chung-shu ranking in the front of all the candidates selected. It was these two great Confucian scholars who were responsible for the emperor's adoption of rites and music as instruments of group-control, inauguration of the policy of "cultural education", and official encouragement of schooling. The latter in the *Answers* he wrote persuaded the emperor to dismiss from office all the various schools of thought other than the Confucian, elevate Confucianism alone to the rank of official philosophy, build schools in local districts, and order local governments to make out their own scholars. All these plans were carried out one by one. Meanwhile, the emperor appointed special officers to transcribe the recovered Books on an enormous scale, and in 136 B.C. put in charge of the Five Canonical Classics an elaborate board composed of Great Scholars. Two years later he issued an order to the effect that each district must each year elect one scholar entitled "Hsiao-lien". Under the plans memorialized, government and education were but two proceedings for the same attainment—two aspects of the same function. True to their principles, Kung-sun Hung later became a great administrator in carrying out the policy of cultural education and Tung Chung-shu not only an inspiring master to numerous pupils, but also the greatest spokesman of Confucianism in mediæval China.

To Confucianism, Tung Chung-shu was not an ordinary apologist: He made several initiating contributions to the school. Even in his three *Answers given in the Wise and*

Worthy Examination[1] which the emperor appreciated so much and carried out so fully, he already advanced new steps for Confucian metaphysics, psychology, ethics, and politics. It was with these viewpoints, that he succeeded in persuading the then ruler to turn his sceptre to the Confucian way of government. However, his conception of Heaven, as the ultimate cause and sanction of all phenomena in the universe reveals the influence of both Taoism and Moism. That the right way (*tao*) derives its original source from Heaven (*T'ien*), was the theme throughout his *Answers*. Heaven is the natural order, but is a commanding superhuman personality creating, supervising, and judging mankind. Man is but an exfoliation of Heaven. Just as the natural order has four seasons, so has man four limbs. Just as the positive (*yang*)[2] and the negative (*yin*)[3] principles work hand in hand, in the natural order, so are rational nature (*hsing*)[4] and emotional impulse (*ching*)[5] included in human mind. And similarly many other natural phenomena in the world find their corresponding qualities in man. This is Tung Chung-shu's famous doctrine of the identification of Heaven and Man.[6]

The same is true of his theory of human nature. Taking a mediate way between Mencius and Hsün Tzŭ, he maintained that human nature is originally neither good nor evil, just as the course of nature is neither positive nor negative. Good is derived from human nature, but not all human nature is good. For illustration, he said: Rice comes from the grain while not the whole grain can be rice; so good comes out from human nature, but does not saturate all of it. Nevertheless, he emphatically affirmed that in the course of the development of good there would function five virtues as five moral motives of conduct which correspond to the "five elements" of nature. By adding the new virtue, "truthfulness" (or good faith) to benevolence, righteousness, propriety, and wisdom, he completed the *Tugendlehre* of Confucianism—the theory of five virtues. These five cardinal virtues are also known as the five "constants"—constant springs of goodness. He carried the jural ethics of Confucianism even so far as to say that in doing anything the virtuous man would only rectify its relations but not

[1] 賢良對策 [2] 陽 [3] 陰 [4] 性 [5] 情 [6] 天人合一論

aim at its profit and understand its right way but not calculate its utility. With this principle in view, the kingly way is government not by penalty but by virtue.

In the world, however, Heaven always subordinates the negative to the positive principle, according to Tung Chung-shu. So must man suppress the evil tendency and cultivate the good one. The former can be done by means of legal institutions; the latter by means of cultural instructions. It is therefore necessary for the benevolent king to perfect human nature through cultural education on the one hand and prevent the rise of self-seeking impulses with legal regulations. The kingly way must always conform to the heavenly way. Heaven is benevolent; therefore the king must be benevolent also. The sage-kings of old followed the opinion of Heaven and pursued moralism, so that even after their death peace and tranquility lasted for hundreds of years. As soon as the way of any ruler began to diverge from the way of Heaven, Heaven would give him warnings with natural calamities and damn him in case he did not turn good after so many warnings.

In the triumph of Confucianism which must be mostly ascribed to Tung Chung-shu, moralism culminated, and its crowning phase has been the ideal of political instruments to subsequent dynasties. Henceforth, the standard of conduct in China has been throughout the ages down to the most recent times *li* or morals, and not *fa* or the state-law. This has been particularly true with the intelligentsia who have considered it their duty to persuade all people from the rulers to the masses to observe the moral precepts of ancient sages by the techniques of cultural education. That technique is moral because it is always persuasive. But it is not absolute but relative moralism. The state-law, though mostly restricted to penal law only, is still indispensable when inevitable.

Moreover, the type of Confucian moralism as well as culturalism that has been in triumph since the days of Han Wu Ti, was even more traditional, conservative, and reactionary than Confucius' own teachings. Throughout the Middle Ages of China starting from the Burning of the Books in 213 B.C. up to the beginning of the Sung dynasty (A.D. 960–1279) for nearly a thousand years many of the literati, notably the Confucian scholars, had to consider

it their primary duty to collect, digest, edit, and comment upon all the classical monuments of their country which they could come by; the more so because their new rival school of thought, that is, Buddhism, began to hold sway among a number of the literati after its first appearance before Ming Ti (A.D. 58–75) in A.D. 62. Moreover, on account of the continual supremacy of Confucianism there was left little or no room for free thought, and the Confucianists monopolized as many intellectual activities as they would while condemning as heretic and radical those which lay far off their reach.

Why should China's intellect become monotonous during the Middle Ages?[1] This was in reality due to the ascendancy of Confucianism with its general attitude so exclusive and intolerant, at least during the Middle Ages, towards other schools. But why should Confucianism have triumphed over the rest, and have continued supreme ever since? While the political revolt of Han against Ch'in had caused a wholesale reaction against tyranny first, and then against anti-culturalism, and finally against anti-moralism, for these symptoms regarded in current eyes as pathological Confucianism alone could offer adequate remedies, namely, benevolent government, culturalism, and moralism. Taoism was too liberal in practice and too profound in theory; Mohism too rigid. In the second place, Confucian social and moral teachings were through and through practicable to the Chinese who had been accustomed to the deontology of the five relations since classic antiquity. Their common ground was rooted in the doctrine of faithful subordination to the superior. No wonder the ruler, the father, the husband, the elder brother, and the master, and the like, would all greet Confucianism as the most immediate and efficient way to

[1] In connection with this question, four causes enumerated by Hu Shih may be mentioned: (1) sceptic logic, (2) narrowed utilitarianism, (3) the principle of despotism assumed by every school towards others, and (4) the prevailing superstitions among the magicians (*Outlines of the History of Chinese Philosophy*, vol. i, pp. 336–38). To all these, Liang Ch'i-Ch'ao added two more important causes: (1) mental weariness of the political chaos and intellectual struggles preceding the Han dynasty and (2) the suitability of Confucian teachings to the general aptitude of the people for the mediation between any two extremes ("A Review of Hu Shih's Outlines of the History of Philosophy": *Liang Ch'i-ch'ao's Lectures*, vol. i, pp. 1–41).

order since its graded morality fitted so well into the patriarchal basis of their social organization.

The last and most important of all was the Confucian technique of maintaining social order—the persuasive technique through cultural education and moral inspiration with a historic background continuing from the ancient kings. Thereby Confucianism supplied Wu Ti with the best agency to create a solid social order and cultural unity of the widely scattered and loosely co-ordinated people over such a vast territory like China. The Chinese were then having a hard time with the Huns who were constantly trying to invade from the North. It was imperative that they be united on the same battle line against obscurantists or otherwise be prepared to assimilate the barbarian invaders. Thereupon Confucianism came to the rescue. True to their expectation, they succeeded in resisting against the Huns during the Han dynasty, and in assimilating all the alien elements into their populace in North China even during the Dark Ages (A.D. 220–588) of Chinese philosophy in which we find the second "Barbarian Invasion" caused the fall of the Western Chin (晉) dynasty (A.D. 265–316) in A.D. 316 Through storm and stress Confucianism continued holding sway. It well represented the kernel of Chinese culture, but in method it was a hindrance to the progress of the nation Its traditional conservatism, while advocating the use of the Books and Classics as main texts in school and over-emphasizing the conformity of action to patterns of remote antiquity as correct standards, discouraged initiative and experiment on the part of the intelligentsia. Looking backward was indispensable on the way to order; looking forward necessary only when unavoidable. This must have summed up the way to order Confucianism pointed to mediæval Chinese.

B. THE DEGENERATION OF TAOISM

The profound agnosticism and nihilism of Lao Tzŭ ought to have anticipated the liable misrepresentations of Taoism in the subsequent ages. The lofty doctrine of inaction inculcated by him and his immediate followers was easily vulgarized into a technique whereby to achieve the sublimation of the corporeal frame. Even in the time of Chuang

Tzŭ its purity, serenity, and sublimity had become tarnished, and thenceforth degeneration began. The subsequent history of Taoism is a history of fantastic speculation, anti-social seclusion, institutional imposture, and fanatic credulity. Intellectual efforts became the mysteries of nature; yearnings after an everlasting life on earth[1] sank into the crude pursuit of prolonged temporal existence; aspirations after superhuman intelligence were reduced to a mean belief in witchcraft and sorcery; and the theory of action through inaction became degraded into the short-cut practice of transmuting the baser metals into gold. Finally, unmoralism and non-legalism were not rarely replaced by immoralism and illegalism! By superstitions of all sorts many victims were enchained in the mediæval East as in the mediæval West.

As clearly pointed out by Ma Tuan-lin (who lived in the thirteenth century) in his *Complete Antiquarian Researches*,[2] the degeneration of Taoism went from bad to worse, stage by stage. Thus, Lao Tzŭ and Chuang Tzŭ convinced their disciples of the need of self-repose and tranquillization; Wei Po-yang allured people with the practice of alchemy and "life nourishing"; Li Shao-chün and Luan Ta simply induced people with the rules of diet; and Chang Tao-ling especially enticed the masses through charms and spells with no more care for the noble teachings bequeathed by ancient sages. From pure intellectuals to wild magicians the varieties of mediæval Taoists ranged. There were speculative philosophers, nihilistic pessimists, vocational magicians, and theosophic priests. As regards the social order, Taoist ideologists and individualists could hardly achieve anything contributory. It was through the mysteries and mysterious efforts of sorcerers and alchemists that mediæval Taoism was elevated to the rank of an agency—if not the only agency—of social order among the ignorant and illiterate masses. With the promises of realizing their wishes these pseudo-scientists easily succeeded in enticing the hand-to-mouth people, and bound

[1] After the introduction of Buddhism into China yearnings after an everlasting life beyond the grave became distinctly differentiated from other kinds of desires for a long life.

[2] 文獻通考(卷二百二十五經籍考五十二道藏書目一卷提綱)

them together by means of appealing to what they feared most. Expediency, and neither utility nor duty, was the basis of immoralism and illegalism.

While certain great personalities—like Chang Liang and Ts'ao Shan—in the immediate circle of Han Kao Ti were Taoistic, the greatest Taoistic philosopher during the Han dynasty, if not during the Middle Ages, was Prince Huai Nan (named Liu An), a grandson of the emperor. With Taoism as the kernel of his thought he expounded his system, and by his encyclopedic knowledge he was led to the treatment of various other channels of thought. Metaphysically, Taoism became exceedingly naturalistic and pantheistic in his hands. It is the *Tao*, according to him, that creates and permeates everything. As all objects including all beings are composed of the same stuff (*ch'i*),[1] there is no essential difference between man and the rest of the natural order. The course of nature (*Tao*) implies the course of reason (*hsing*).[2] Reason is the principle of good; evil is due to desire (*yü*).[3] Ethically, the standard of conduct therefore must be reason, and union with the *Tao* is the end of life-struggle which forecasts the later mystic pursuit of the *Tao*. Abstension from all desires and conformity to reason is the way whereby to attain the *Tao*. Such virtues as benevolence and righteousness are not native but acquired. From ethics to politics Huai Nan Tzŭ (so called generally) carried the principle of union with the *Tao* and held inactionism as the basic principle of government. Such were the main teachings of the speculative prince, and yet quite many of them were elaborated with his personal approval by various fantastics in his circle and then incorporated into his system. As a matter of fact there was a diametrical opposition between his words as put down in white and black and his deeds carried out. With the possible exception of Gautama Buddha, no princes having ambition, intelligence, and popularity, could rise above vanity. Instigated by his close friends and subordinates his political manœuvres against Wu Ti finally cost him his life. With his death genuine philosophic Taoism went to the bottom.

However futile results of pure speculation might have proved, other-worldly cravings were entertained by rulers

[1] 氣 [2] 性 [3] 欲

and masses. Even the obstinate Shih Huang Ti was seriously fascinated by the doctrine of immortals preached by a group of court magicians (*fang shih*)[1] he had around him in his old age. Having dreamt of realizing the legends told him by those magicians about the Isles of the Blest in the East Sea, the superstitious emperor then sent in 212 B.C. naval expeditions to these fairy lands to discover the herb of immortality. Likewise, the able Han Wu Ti cherished fanatic yearnings after eternal life. In the opening years of his reign Magician Li Shao-chün memorialized to him the way of avoiding old age through sacrificing to the kitchen-god which was experimentally adopted, and another magician named Luan Ta frequently induced the emperor with fictitious tales of spirits, hermits, immortals, and devils until finally both of them were executed for crimes. Again, towards the close of his life, as he was suffering from intense nervous debility on account of his heavy work, he looked for help to a band of sorcerers and witches invited to the imperial palace, which became the source of intrigues causing the forced suicide of the empress and the Crown Prince and the unjust execution of several ministers. After an eloquent memorial had been presented by T'ien Ch'ien-ch'iu in defence of the Crown Prince, the emperor repented, though too late, and started the palace-cleansing movement in 90 B.C. and appointed the able loyal scholar prime minister in the following year. Thus, during the half-a-century reign of Wu Ti, though Confucianism gained an official victory over other schools, Taoism ruled in private life and continued supreme. Later on, despite the protests and criticisms which had been proclaimed by thinkers and writers such as Yang Hsiung (53 B.C.–A.D. 18) and Wang Ch'ung (A.D. 27–89 ?)—of morality against immorality, of legality against illegality—to the deified Lao Tzŭ worshipped by many of the magicians, Huan Ti of the Later Han dynasty made an official sacrifice in A.D. 165.

No sooner than Taoism had lost all its purity and efficacy and its degeneration developed with such a rapidity that there were shut out all hopes of any restoration, a foreign creed came to the rescue, wherefore the religious life of China was revolutionized. The promise which Taoism had made but left untouched or unwarranted, the foreign

[1] 方士.

creed proposed to guarantee and fulfil in a systematically moral and refined manner with convincing rational bases; and as a result Buddhism and Taoism gradually became merged and mingled in an inextricably confounded system of rites and teachings. In the year A D. 65 Ming Ti sent for Buddhist scriptures and priests. Three years later the expedition came home with many Buddhist monks from India, and immediately the White Horse Temple was built for them at the capital Loyang. Thereupon Taoism and Buddhism found their first agreement in the common attempt to get rid of the concept of "self": the former advocated abstraction from "self"; the latter looked to Nirvâna. Inaction became affiliated with moderate action; and contemplation, with the state of tranquillity In particular from Buddhism Taoism learned the institution of monastic order Thenceforth Buddhism played a rôle in China at least as significant as Christianity in Europe.

The nihilistic ideas and other-worldly cravings taught by both Buddhism and Taoism pointed the way to mystic and ascetic life. The disgusting age at the close of the Later Han dynasty made people pessimistic. The disappointing circumstances in the light of the transient rise and fall of rulers and kingdoms, easily eventuated in extreme individualism and even anarchism It was no surprise at all that during the era of the Three Kingdoms (A D. 220–264) into which the Han empire was divided, Yang Chu's egoistic hedonism became institutionalized by numerous philosophers and poets under the sway of the Seven Wise Men [1] of the Bamboo Grove who preached the gospel of Pure Speech. To social affairs they were absolutely indifferent, and in Lao Tzŭ's nihilism and Yang Tzŭ's hedonism they frivolously indulged. They frequently met near some bamboo grove for wine, chess, music, and poetry, enjoying hot talks and high-sounding discourses. To them, all rites, laws, morals, and rules of propriety were but so many artificial chains and detrimental curses Not moralism but immoralism, not legalism but non-legalism, and not culturalism but naturalism, were their creeds. As Confucianists in other ages would have done, as ever against the School of Pure Speech, Fu Hsüan (A D 217–78), a Confucian contemporary of the wise men, made a strong protest with a view to restoring Confucian teachings of

[1] These seven wise men were, Chi K'ang, Yuan Chi, Shan T'ao, Hsiang Hsiu, Liu Ling, Yuan Hsien, and Wang Jung.

rites and morals. But all was in vain. The Dark Ages of Chinese Philosophy were impending. Even T'ao Yüan-ming (A.D. 365–427)—the most creative-minded scholar of his day—could not help becoming converted to pessimism. He lived the life of a recluse fancifully Taoistic in thought but rigorously Confucian in disposition. Deeply influenced by both Taoism and Buddhism he viewed life as merely a temporal residence which he described in his *Life of the Five-willow Master*.[1] Whoever learns by heart his *Home Again*[2] cannot help recalling his love of nature in the weariness of toilsome life while admiring his poetic genius. Through indulgence in drinking and writing he believed he could forget all sorrow and suffering, and as an expression of self-consolation he pictured his Utopia in his *Peach-blossom Fountain*.[3] Thus, with him the current attempt to search for the way to super-social order came to its peak. Other-worldly naturalism was the ideal.

Popular Taoists, however, could not acquiesce in such negative and ascetic practices. Something had to be done for the mass. To maintain steady group-control, priesthood was necessary which was inaugurated by Chang Tao-ling, a celebrated sorcerer born during the reign of Huan Ti (A.D. 147–67), who claimed to be a descendant of Chang Liang. After having attained the *Tao* on the Lung Hu Shan or Dragon and Tiger Mountain in the present province of Kiangsi, he set out on his evangelical work among the poor and the sick, arrogating to himself the power of curing diseases and exorcism over evil spirits. He won a multitude of followers at once. To his son and successor Chang Heng he bequeathed a sword, a seal, and his books on magic, as three heirlooms to be handed down from generation to generation as signs of orthodox priesthood. His gospel was widely popularized by his grandson Chang Lu, who established himself at Hanchung[4] as magistrate of the district. Therefrom he was driven out by Ts'ao Ts'ao, the dictator in the reign of Hsien Ti (A.D. 190–220). Meanwhile, he sent his son Chang Sheng back to the Dragon and Tiger Mountain wherein the latter built an altar for sacrifices as the basis of permanent Taoist priesthood.

[1] 五柳先生傳
[2] 歸去來辭.
[3] 桃花源記.
[4] In the present province of Shensi.

From that time onward, the successive rulers of the Chang family have called themselves as well as their forefathers "T'ien Shih" (Celestial Preceptors) and their evangelists "Tao Shih" (Taoist priests).

The way these Taoist priests maintained order among their adherents was an enticing technique through medicine and magic, which involved neither legal nor moral bases. They enticed the mass with cure of illness, prolongation of age, increase of wealth, and elevation to continued existence, while assuming themselves to be experts in magic, alchemy, and invention of elixir. In their medical treatment they would give the patient spell water or put his name on three slips of paper with one posted on the top of the mountain, one buried in the ground, and one dipped into water, which they called the three forms of prayer on the condition that he would avow permanent faith in the *Tao*. In case the patient did not recover thereby, they would say he had cherished no faith in the *Tao*. Charities were considered necessary But retribution was expected always The priests built inns in local districts, where traffic was particularly difficult, with room and board free to travellers; but they took it for granted that those greedy ones, who took too much from the provisions, would fall ill on that account Every new convert was required to contribute a certain amount of rice as matriculation fee, and every patient to pay some amount for each treatment, which were the sources of funds to their organization. Therefore, they were sometimes condemned as "rice-thieves", and sometimes regarded as saviours of the miserable. Their religious sects have been usually connected and sometimes even identified with secret societies, so that many Taoist priests have been responsible for the rise of rebellions and disturbances while the Chinese government has been quite tolerant in matters of religious belief—particularly among the masses

Such an agency of social order could not win the homage of any intelligentsia. Like other great religious systems, Taoism needed theoretical bases. The pioneer in mediaeval Taoistic theosophy was Wei Po-yang (who has been supposed to be a contemporary of Chang Tao-ling). He systematized the methods of preparing elixir, of attaining immortality, and of avoiding old age, in accordance with the law of

nature (*Tao*). At the opening of the Eastern Chin dynasty (A.D. 317–420) Pao P'u Tzŭ, a mystic hermit named Ko Hung, rose to complete the theosophy of mediæval Taoism. With the proposition that the ultimate reality of the universe is the *Hsüan*[1] (nil or mystery) which whoever attains will live in his corporeal frame as long as Heaven and Earth, as his starting premise, Pao P'u Tzŭ advocated Taoistic ways of "nourishing life" and Confucian morals in social life with the result that he seemingly attempted to reconcile egoism and altruism and to unify morality and legality. While the ultimate life end of every hermit was held to be the attainment of the *Hsüan*, he had to preserve and increase spiritual and bodily vitality from within, and take drugs of immortality from without. Socially, every hermit or candidate for immortality was expected to be an enthusiastic philanthropist in accumulating good deeds and rectifying conduct through the practice of the virtues of loyalty, filial piety, amiability, obedience, benevolence, and truthfulness. However, not everybody could become a hermit. Whether or not fond of the way of the immortal, men were born so determined by their respective stars above. Even those who were born fond of it, if they never undergo hardships, sufferings, industries, and struggles, would hardly attain it. Most of them remain determined at the mercy of their fate, and only a few can break away the limits of fatalism through their own effort. In this respect Pao P'u Tzŭ attempted to harmonize fatalism with freedom. But since it was very susceptible to different emphases and interpretations, later theosophers eventually segregated into various sects—into the southern and the northern particularly.

During the Dark Ages (A.D. 316–588), Taoism and Buddhism flourished while leaving Confucianism in obscurity. This was particularly true in North China where before the barbarian invaders, busy building their kingdoms, were as yet completely assimilated, Confucianism ruled mostly among some professional writers and school teachers. All alien rulers were willing to adopt Chinese culture and religion. The various kingdoms established were finally brought under one imperial sway by the Later Wei dynasty (A.D. 386–535), founded by Toba K'uei, in the North. This Charlemagne in China became more and more Chinese in his life and made his dominions not less

[1] 玄.

cultural than South China held by Chinese emperors. His grandson, T'ai Wu Ti (A.D. 424–49), was converted to Taoism in the first year of his reign by a celebrated Taoist priest-theosopher named K'ou Ch'ien-chih. At the same time a magnificent altar was built. Under the counsel of the priest the emperor suppressed Buddhism and facilitated the propaganda of Taoism in North China. In South China, where Chinese rulers, with their capital established at Chien K'ang, the present city of Nanking, took it as their duty to patronize Chinese culture just as the Byzantine emperors eagerly preserved the classical learning of the Greeks and Romans, T'ao Hung-ching (A.D. 452–536)—a Taoist recluse claiming the ability of fore-knowledge—successfully won the ear of the fanciful-minded Liang Wu Ti (A.D. 502–49). Around him there always flocked a multitude of adherents, and from his secluslve hermitage the emperor often sent for counsels so that he was styled with reverence as " the Prime Minister in the Mountain ". The Dark Ages of Confucianism were the Golden Days of Taoism apparently; the enticing agency rose at the expense of the persuasive agency. But Confucianism was still regarded as the official philosophy and cultural religion. Even during the T'ang dynasty (A.D. 618–907), although Taoism was generally patronized on account of the identity of the family name, *Li*, of the ruling house, and Lao Tzŭ's family name, although Lao Tzŭ was canonized in A.D. 666 as the Great Supreme (*T'ai Shang*),[1] and although there were prevailing several eclectic efforts devoted to the reconciliation of the three schools, Confucianism remained the desperate apologetic of indigenous culture in contradistinction to Buddhism, and the orthodox system of teachings as over against Taoism and others.

C. THE TECHNIQUE OF BUDDHISM[2]

1. *Hinduism Back of the Hindu Community*

If the community is unity in diversity, nowhere is it so evident as in India. By Hinduism the unity of the Hindus

[1] 太上.

[2] Buddhism arose in ancient India, and became an agency of social order in mediaeval China. We are hereby not going to give any account

has been maintained, their diversity preserved. What is Hinduism? It is not merely the ecclesiastical institution nor the religious life of the Hindus. It is a congress of religions, a library of scriptures, and a society of heterogeneous members. It implies the pursuit of all cultural creeds, ways of life, as well as theological dogmas, prevailing among the millions of Hindus since the days when their forefathers penetrated into the Indian Peninsula.

While the Hindus of old neglected the chronology of the historical records of their forefathers, the story of the Vedic Aryans must go back at least as early as 1500 B.C. That branch of the Aryans who had entered Punjab, first found their cradle of civilization in the territory drained by the Indus River. Therefrom they penetrated gradually into the Indian Peninsula while conquering and enslaving the aborigines on the one hand and on the other subjugating or driving away the highly civilized Dravidians in their front. They developed the patriarchal system of social organization, observing high standards of morality, and living in small farming communities while retaining many traces of their previous nomadic life. In order to isolate themselves as conquerors from the conquered Dravidians and enslaved aborigines, they drew out sharp social class distinctions which became the germ of their famous caste-system in the course of time. It was along the Gangetic valley, where they had moved from Punjab, that their first genuine intellectual efforts arose from among the leisure classes composed of intellectual aristocrats to solve the problem of life in relation to the world as well as to analyse the motivating factors of conduct in both private and public life.

Most fortunate of all, the Hindus have from time immemorial preserved in sacred esteem profound scriptures in the Vedas, the Brahmanas, and the Upanishads. Though written by unknown priests, these scriptural records have bequeathed to peoples of subsequent ages the narration of the social, cultural, as well as religious progress, of ancient

of its institutionalization and development as an agency of social order in India or China or any other Eastern country. What we are interested in, is simply to examine as concisely as possible the basal principle of motivation and the technique of socialization taught by Gautama Buddha in contradistinction from those followed by traditional Hindus.

Hindus. It was during the Vedic period (1500–1000 B.C.) that the Vedic hymns were composed and arranged in the various Vedas[1] with each fit to a particular ritual. In those days the Indo-Aryans still worshipped deities of the common Aryan origin to a great extent with various natural forces personified and deified. The Vedic religion was in fact the cult of natural forces. Indra was worshipped as the tribal God; Agni as the fire-god; Mitra as a sun-god; Varuna as a sky-god; and Dyaush pitar as the All-inclusive Heaven. However, there were prevailing two definite tendencies already: the increasing personification of the powers of nature and that of different epithets of the same God. Meanwhile, in the course of functional differentiation, to Mitra, four more sun-gods were added: Surya, Savitar, Pushan, and Vishnu. And such new gods as Vata, the wind-god, Parjanya, the rain-god, and Rudra, the storm-god, now appeared in the Pantheon of Hinduism. The seed of kathenotheism having thus been sown, the reconciling technique through deity-amalgamation meanwhile became the fruit with the simultaneous consequence that the Hindus have from the day of remote antiquity remained far more religious than any other people—with the exception of the Jews and Christians—and their religious sentimentality has even tended to extreme fanaticism and extravagance as compared with the Greeks and the Chinese.

The scriptures constitute a system of duties involving commands and prohibitions with no lawgiver, which have been taken as eternal truths revealed to man and demanding man's submission to them. They point three paths to freedom from pain and the attainment of salvation: right action (*karma*), meditation in the form of prayer, and knowledge which consists in the practical realization of the truths. Moreover, they give a mystic account of the social divisions of the four main castes and set forth those rules as defining the duties of each of them in order that each may acquiesce in the supremacy of the Brahmans and the hierarchial social order may be thereby maintained. They attempt to justify the divine creation of the social classes as well as the divinity of kingship. While in Plato's *Republic* social class distinctions are accounted for on a psychological basis, the Vedas describe the caste divisions

[1] The Rig-Veda, Yajur-Veda, Sama-Veda, and Atharva-Veda.

in a rather mythical way under an implicit principle of the division of co-operative labour directed towards the same end. Thus, of the same primeval person, the mouth produced the Brahmans, the priestly class; the arms produced the Kshatriyas, the warrior class; the thighs produced the Vaisyas, the common people; and the feet produced the Sudras, that is, the slaves. Such was the mythical account given in the Vedas.

During the Brahmanic Period (1000–500 B.C.) Hindu ritualism was definitely established and the despotic supremacy of the Brahmans over the rest completed. The Brahmanas written as early as 800 B.C. on purpose to consolidate the prestige of the priestly class were theological treatises, emphasizing sacrifices in particular. For them the purpose of sacrifice was to acquire both a happy future, and temporal blessings, and therefore sacrifices became more significant than the gods sacrificed to. The priests who performed the sacrifices now came to be esteemed as highly as the old Vedic deities. As sacerdotalism has remained a significant phase of Hinduism ever since, holding firmly to the sanctity of the ritual monopolized in their hands, the priestly class have continued supreme in the Hindu community, the more so since they have been the few intellectual hereditary aristocrats.[1]

From the Vedas to the Upanishads (which had been mostly composed by the time of Gautama Buddha), serious changes happened to the life-view and world-view of the Hindus. While the Vedic Aryans had entered the Punjab as buoyant and joyous as could be, as centuries went on along the course of the Ganges River the intellectual aristocrats who had leisure to think and meditate grew weary of the transiency of life and came to crave for an

[1] "In the Brahmanical canon," writes Ghoshal, "not only are the person and property of the priestly order protected by the severest penalties but they are armed with a formidable array of immunities which includes capital punishment" (*History of Hindu Political Theories*, p. 14.) In the royal court of justice and the council of ministers the priestly order is assigned the right of holding high office. Particularly the Brahmans have the divine right of spiritual teaching and of guardianship of the Sacred Law (*Dharma*) binding every phase of the Hindu community and every act of the individual. In this way the Brahmans share the ruling privilege with the Kshatriyas under the doctrine of joint lordship. The king is entrusted with the highest executive functions, but not as an irresponsible despot. In one sense the Brahmans form the legislative body while the king acts as the chief executive.

eternal realm other than this fickle world in order that they might attain the eternal bliss free from pain, sorrow, and agony. Back of such a peculiar life-view were mechanical cosmogony, pantheistic cosmology, and popular belief in transmigration, reincarnation, and the Law of Karma. Throughout the Upanishads of the central importance was the doctrine of Brahman and Atman, the former being the world-being and the latter the world-soul manifested and enchained in individual beings. The whole phenomenal world is *maya* since it is but a temporal manifestation of the universal will of Brahman. Brahman is the sole source and cause of the emanation, preservation, and destruction of all things. The world originates with the Brahmanic order and has passed through four stages—Krita yuga, Treta yuga, Dvapara yuga, and Kali yuga—and has become from pure good to the worst which is the condition of the present stage. However, it is expected that, after a certain period of time has elapsed, the world will revert to the Brahmanic order wherefrom it will again begin to go over the same process. The turning of the same wheel is everlasting.

The same is true of individual life. All earthly life is characterized by change and transiency. Suffering is constant, transmigration inevitable. When the body perishes, the soul transmigrates and never perishes, and what is more, it has to reincarnate itself after numerous rounds of birth and death. Deliverance from the wheel of birth and death is not eventual. The Law of Karma always turns the wheel. It shapes the direction of transmigration and the status of reincarnation. Only in case good deeds have been accumulated in the successive rounds of the wheel, the soul can finally be freed from rebirth and attain eternal bliss. The past deeds (*karma*) determine the present station and its duties, and the present deeds (*karma*) point to the future destiny. It is at the present moment that the soul has freedom to direct the course of its future by performing *Karma* in the right spirit. The Law of Karma thus opens the way of hope and allows the chance of purifying the mind. It evolved out of the primitive Aryan concept of justice whereas the idea of reincarnation which had not appeared in the Vedic hymns seemed to have been derived from Dravidian belief. For centuries these two theological

dogmas—the Law of Karma and the Principle of Reincarnation—have functioned as the most significant normative factors motivating social conduct among the masses of the Hindu community.

To attain to an eternal life of complete bliss the wheel of endless living must be got rid of. This desire for self-emancipation necessitates the abolition of desire which is the essential element of life and which is the cause of pain. Unless Atman is completely freed from worldly desire, the bliss of Brahman cannot be attained. On this account, there are open two ways of deliverance: (1) the gradual way open to everybody which holds to the Law of Karma, and (2) the thorough one for the intellectuals only by acquiring knowledge. To the Brahmans constant transmigration is caused by ignorance and passion. Atman and Brahman being essentially identical, to discover Atman one has to acquire sacred knowledge (*Veda*) by turning inward and meditating in silence until a spiritual vision—the knowledge of Atman—is attained through intuition. To know Atman is then to realize personal identity with Brahman—to absorb the self in Brahman-Atman.

Besides "intellectual" contemplation there were two other ways of salvation: ritual performance and ascetic practice. Traditional Brahmans held to ritualism. But numerous hermits wandering in the Gangetic valley pursued meditation and asceticism, deserting all social relationships and renouncing all earthly vanity and material avarice. They had a common aim in view, which was to search after the right way to self-emancipation from the wheel of endless living. The result was the formulation of the various systems of philosophy in ancient India. The traditional schools—Nyaya, Vaisesika, Samkhya, Yoga, Mimamsa, and Vedanta—acknowledged the divine authority and originality of the Vedas; whereas the Lokayatas, Jains, and Buddhists were heterodox from the very beginning.

During the Philosophic Period (500–250 B.C.), while the prophets were preaching their new gospels of salvation, the masses were still left under the sway of the Brahmanic priests. The Upanishads justified the caste-system on the ground of the concept of Law or Duty (*Dharma*) which presupposes the division of society into such component units as the four castes and the four stages of life in the way

to deliverance. The *Dharma* is the truth derived from the world-order. It is the authoritative sanction of the action of the three castes below the Brahmans, even over-riding the civil authority of the Kshatriyas. In the social life of the Hindus it is held in divine esteem as the code of morals. The Rule of *Dharma* must be observed for *Dharma's* sake. But on account of its external divine sanction and arbitrary defence of the caste-system on the basis of predeterminism it became the code of social legalism among the Hindus.

It was against such a deterministic caste-system and the traditional ceremonial sacerdotalism of the obstinate Brahmans that Gautama Buddha raised his protest. The former he condemned as unethical, the latter as immoral. In their stead he preached the lofty moral idealism and propagated the crowning phase of ancient Indian philosophy as the right way of salvation for the whole mankind. As Christianity rose in revolt against Judaism, so did Buddhism challenge Brahmanism.[1] Before the public he denied the Brahman caste and the divine authority of the Vedas and considered any attempt to win salvation by offerings crude and absurd. In his eyes animal sacrifices were as cruel as murder. Yet he did not meet the miserable fate Jesus Christ did, although he preached absolutely thorough moralism while recognizing no boundaries between Heaven and Earth.[2] Jesus started from the repudiation of Pharisaism, but Gautama developed his system quite independent of the Vedas. Quite true, Buddhism began more as an independent than as a revolutionary movement. The Brahmans were disregarded rather than condemned. Even though there were incompatible differences between Buddhism and Brahmanism, that conflict must be traced back to the rivalry between the Kshatriyas and the Brahmans. Born the eldest son of a Sâkya monarch anyone would have questioned the supremacy of the priests over the rulers in the age of Gautama. It was not his intention to struggle for any worldly vanity, and yet it was on account of his opposition to the tyrannical Brahmans

[1] In place of "Hinduism" I put "Brahmanism" because Hinduism deserves different appellations at different periods, and, what is more, it was primarily to the Brahman caste that Gautama stood in opposition throughout his evangelical work.

[2] While revolting against Jewish legalism, Jesus preached absolute monism on Earth, but unavoidable legalism in Heaven (*v. supra*, pp. 82–8).

that he could recruit numerous adherents from among the Kshatriyas, and that his teachings easily won the faith of warriors and monarchs. In the various centuries following his death, Buddhism flourished under the patronage of rulers. As an agency of political order it marked its beginning from the reign of King Asoka (273–232 B.C.). This famous monarch while ruling almost all over India made Buddhism the state religion and the first enterprising foreign mission was sent to Ceylon by his son about the year 250 B.C.

The prosperity of Buddhism (250 B.C.–A.D. 500) was succeeded by the revival of Brahmanism (A.D. 500–1000) which passed over to the completion of Hinduism (A.D. 1000–1500). By the ninth century Buddhism was almost completely driven out from its native land and has never gained any extended influence at home ever since.[1] Logicians were no match for politicians; revolutionaries surrendered to reformers; and belligerents succumbed to reconcilors. To counteract the atheism, democracy, and cosmopolitanism advocated by the Buddhists, the Brahmans could easily accomplish their purpose by reviving their kathenotheism, aristocracy, and nationalism. As long as the Kshatriyas were rivalling the Brahmans, Buddhism might remain a rational ground of appeal. However, at the very root of their political speculation, the early Buddhists tended to the social contract theory and republicanism.[2] Hinduism, on the contrary, favoured the divine right theory of kingship and affirmed monarchism. Small wonder the revival of Hinduism was inaugurated by the Indian dynasty of the Guptas starting from A.D. 320.

The struggle lasted from the fourth to the ninth century and ended with the complete victory of Hinduism over Buddhism. The effort of Kumārila and Śaṅkara in the eighth and ninth centuries dealt a death-blow to the then degenerate Buddhism in India by incorporating many

[1] There are at present about as many Buddhists as there are Jains in India.

[2] Cf. Ghoshal, *History of Hindu Political Theories*, pp. 122–8. The early Buddhist canonists attempted to trace the origin of the human kingship to the demand of a state of nature, in which theft and injustice prevailed, and from which the king was elected by a voluntary assembly of people. The natural state, which, however, was preceded by a [illegible] of growing degeneracy and accumulating evil, eventually to a civil and political state.

Buddhistic elements into their own institution. It was essentially due to such a reconciling technique that Hinduism triumphed over Buddhism. Throughout centuries as an agency of social order in India Hinduism has appealed to what we may call "the reconciling technique through deity-amalgamation and caste-admission". The way it maintained social order is well remarked by Sir Charles Eliot in the following passage [1]:—

> Whenever a popular cult grew important or whenever Brahmanic influence spread to a new district possessing such a cult, the popular cult was recognized and brahmanized. This policy can be abundantly illustrated for the last four or five centuries, and it was in operation two and a half millenniums ago or earlier. It explains the low and magical character of the residue of popular religion, every ceremony and deity of importance being put under Brahmanic patronage, and it also explains the sudden appearance of new deities.

It was during post-Buddhistic days that Śivaism, which had arisen in one region, and Vishnuism in another, came to be reconciled with Brahmanism through the formation of the Hindu Trikaya with Brahma as the Creator, Vishnu as the Preserver, and Śiva as the Destroyer. The formation of such a triad has led many a thinker to reconcile the rival claims of various sects as well. Brahman became the Absolute Being in the School of Vedanta, and Śiva was originally the Vedic storm-god Rudra. Vishnu was not very important in the Vedas but was now elevated to the highest top and became the all-amalgamating god with any new deity as its new manifestation. Thus, Krishna developed from an earthly hero to an incarnation of Vishnu. Prince Rama came to be worshipped as the pattern of the filial son; Princess Sita as that of the faithful wife; and Prince Lakshmana as that of the respectful brother. All these were regarded as embodiments of Vishnu.

Nevertheless, intrinsically there must have been some factors of the persistent spirit and resistant power of the Brahmans. The Brahmans are not necessarily priests; most of them are men of letters and intelligence. With no hierarchical idea of creating a state church they have been householders distributed over the country in villages, living a genuine family life and upholding the continuity

[1] *Hinduism and Buddhism*, vol. i, p. 104

of their blood and tradition. From time immemorial they have stood for the vital strength of Hinduism. They would admit every new creed as an element of Hinduism and every new sect as part of the Hindu community provided some such rules of the house be observed as reverence for the Brahman class and theoretical acceptance of the Vedas. Thus, about A.D. 1100 Rāmānuja, who founded the first great Vaishnava sect, assumed a very liberal policy towards religious boundaries in matters of worship and even admitted Moslems as members of his community.

Caste has remained a religious as well as social institution, and the whole caste-system expects its legitimate sanction from the *Dharma*. The Law-Book of Manu (250 ? B.C.), while prescribing noble precepts for moral conduct, elaborated the fourfold caste-system on a permanent basis of fatalism and considered obedience to the Law—the caste law in particular—as the way of salvation. It has been hoped that by means of such fatalistic legalism the people can be kept content with their own status in this present life. But strict legalism has been enforced so far as to consider inter-diet, intermarriage, and other kinds of intimate contact between different castes, as taboos Every new sect would be admitted into the lower rank, and there are nowadays over two thousand mutually exclusive sub-castes included in the Hindu community The only moral promise of relief from the tomb of caste into which one is born is made by the Law of Karma through the process of birth and rebirth It is believed that whoever does good can in successive rebirths proceed to higher castes, and that even a Brahman will be degraded in next birth to lower castes if he do evil in this life Legalism in life, moralism through death! This was at least true of mediaeval Hinduism underlying the social order of the Hindu community.

2. *The Convincing Moralism of Gautama Buddha*

Life is Suffering.—If the technique of Hinduism in maintaining social order was the reconciling technique through deity-amalgamation and caste-admission, the technique of Buddhism must have been "the convincing

technique through personal demonstration and logical argumentation". While the former holds to legalism in life and moralism through death, the latter, recognizing no boundary line between life and death, advocates thoroughgoing moralism. True, Gautama Buddha succeeded in socializing mutually exclusive individuals into an order by convincing them of the need and duty of observing certain rules of conduct through personal demonstration and logical argumentation. In his life we find his personal demonstration and in his thought his logical argumentation.

Life is suffering! It is not quite likely that anyone born to be king of a great land would have said so. But it did form the starting premise of the career and teaching of Gautama Buddha. Such a life-view was in reality derived from the gift of the intellect of his age. The ideal man as pictured in the Upanishads was the ascetic life of a wandering hermit having renounced all earthly clinging. This Gautama followed. As soon as he diagnosed the symptom of life that the body is nothing but a nest of diseases while there is no such permanent entity as the soul, he became a social physician and proposed remedies for it. Like many other hermits of the Upanishadic period, with his frame of mind to get rid of the wheel of endless life he devoted the rest of his life to preaching his new gospel of salvation. Thus, in his starting proposition he was a product of his community and in the further development of it he became the greatest guide of his age.

According to the legendary account, Gautama Buddha (560?—480? B.C.) was born the Crown Prince of the Ikshvaku family at the city of Kapilavastu on the borders of Nepal near the Ganges River. His father, King Suddhodana, was an able, benevolent monarch of the Śâkya tribe, and expected his eldest son from his birth to continue the worthy and revered rule in his kingdom, thus naming the prince Siddhartha (which means one who has accomplished his aim). Brought up in intellectual but luxurious circumstances, he was married when nineteen years old to his cousin Yasodharâ, by whom he later had a son named Râhula. Apparently he grew up to be a promising future king, intelligent and virtuous. But this great worldly chance he decisively gave up at the age of twenty-nine and never restored it.

Like most of the intellectual Hindus of his day, characteristic of Gautama were beneficent character and contemplative mentality, and it was natural that he would sympathize with the poor and the sick and meditate on the problem of life and death in the light of old age and decay. But only outside of his palatial environment could he witness such sufferings. So, the legendary account goes further: One day, while driving out to the park through the fields, he saw an old man struggling for life with his heart weakened and oppressed; next time he saw a sick man by the wayside sighing with deep-drawn groans; and at the third time he saw a dead man being carried to the graveyard. Now, Gautama Buddha began to contemplate upon the miseries of decay, illness, and death, and at Court he felt more disgusted than ever before by the enticing deeds of palace ladies.

The last time he went out of the city, he saw the toil of the ploughman and ploughing oxen, and while seated beneath the shadow of a Gambu tree, he reflected upon the ways life suffers from birth till death. Thereupon came to him a Bhiksha (a mendicant), and in reply to the prince's question about his life and work, the latter said [1]:

> Depressed and sad at thought of age, disease, and death, I have left my home to seek some way of rescue, but everywhere I find old age, disease, and death, all things hasten to decay and there is no permanency, therefore I search for the happiness of something that decays not, that never perishes, that never knows beginning, that looks with equal mind on enemy and friend, that heeds not wealth nor beauty, the happiness of one who finds repose alone in solitude, in some unfrequented dell, free from molestation, all thoughts about the world destroyed, dwelling in some lonely hermitage, untroubled by any worldly source of pollution, begging for food sufficient for the body.

This opportunity to meet a Bhiksha in the suburb marked a turning point in his life and work. The Crown Prince had now to choose between the kingdom of wealth and fame and the kingdom of truth and bliss. Once and for all, he chose the latter to the former!

On entering the city Gautama saw people, old and young, male and female, joining and parting from each other,

[1] Asvaghosha, *A Life of Buddha*, *SBE.*, vol. xix, Bk. I, sec. 6, 344–7, pp. 49–50. *SBE.* stands for the *Sacred Books of the East*, and so throughout this section.

and the ideas of "separation" and "association" occurred to his mind. Therefrom he rushed home and went straight to his father's presence, explaining to him his own dread of age, disease, and death, and seeking respectfully permission to become a hermit. "For all things in the world," he proceeded, "though now united, tend to separation."[1] Therefore he prayed to leave the "world", the domain of the five desires, in order to find "true deliverance". The king did not give him permission at all. But the prince deemed impending the time of "leaving home" for the deathless city. On the eve of his departure he went softly into the room to see his son Râhula and his wife Yasodharâ who were fast asleep, and at midnight stole away on horseback without awaking them and bidding them farewell. This has been reputed as "the Great Renunciation"

Tramping and tramping he arrived at the city-gate, wherefrom, turning back to his father's palace, he declared, "If I escape not birth, old age, and death, for evermore I pass not this along"[2] With his coachman accompanying him, he rode as far as the River Anomâ, and after crossing it he cut off his hair and sent his coachman back with his horse. He turned a hermit, entering the place of austerities In the interior of the wood he met a sect of Brahman ascetics. He beheld their ritual performance and chanting of the mystic prayers, which, however, he considered not a true method of escape. He desired to destroy all mundane influences In his eyes the law which they were practising they simply inherited from the deeds of former teachers, while the prince himself desired to destroy all such combination and seek a law and truth which admits of no such accident Thereupon, he left for somewhere else

Meanwhile, the mission sent by his royal father overtook him; but he expressly assured the group of his firm frame of mind that in order to find the way of escaping birth, disease, old age, and death he had to apply himself to purity of life, wisdom, and the practice of asceticism. He declined to return to the palace but set out on wandering from town to town and begging his food, according to the rule of all great hermits of the age, clothed in coarse Kasâya garments with his head shaved. At Râjagaha, the capital of Magadha, he visited another group of Brahmans, inquiring after the

[1] Op. cit., 396, p. 51 [2] Ibid., 414, p. 58.

way whereby to escape old age, disease, and death. In response to this question a Brahman of the Sankhya School named Arâda Kâlâma, quoted briefly from the various Sûtras and Shastras passages in explanation of a way of deliverance—the mode of ending birth and death—on the principle of the "soul" or the "I". The soul, according to them, practised wisdom and thereby found deliverance. By the power of wisdom one perceived the character of birth, old age, and death. On this was founded true philosophy. Contrary to this, "ignorance" and "passion" would cause constant "transmigration". The truth of "soul" could not be doubted; or else, there can be no way of escape. All perception involved the "soul". Therefrom Arâda proceeded[1]:—

> The cause of the whirl of life, I clearly perceive, is to be placed in the existence of "I", because of the influence of this cause, result the consequences of repeated birth and death. . . . Kindling wisdom—opposed to dark ignorance—making manifest—opposed to concealment and obscurity—if these four matters be understood, then we may escape birth, old age, and death. Birth, old age, and death being over, then we attain a final place; the Brahmans all depending on this principle, practising themselves in a pure life, have also largely dilated on it, for the good of the world.

When Gautama went on asking about the expedients for obtaining this escape, Arâda told him all rules of Brahmanic ascetic life in detail. But he began to repudiate the idea that when the "I" is rendered pure, there is true deliverance. For him retention of the idea of "I" gains no final deliverance because it is a germ in the law of birth. Again, "clear knowledge" always implies some possessor of it; and if there be a possessor, there can be no deliverance from this permanent "I". "What Arâda has declared cannot satisfy my heart," said Gautama, "this clear knowledge is not 'universal wisdom'; I must go on and seek a better explanation"[2]

The Greeks regarded the "noble man"; the Chinese the superior man; and the Hindus the ascetic. Legend often confirms history. The further Gautama went on in search of a better system, the more famous he became. At Mount Gayâ—where there was a town called Uravila

[1] Op. cit., Bk. III, sec. 12, 954–8, pp. 136–7.
[2] Ibid., 959–7, pp. 141–2

(Pain-suffering forest)—he beheld five Bhikshus holding to the rules of moral conduct, practising asceticism and dwelling in the grove of mortification. Being himself an ascetic-prince, he easily won their discipleship, and with their service he practised mortification, restraining every bodily passion and giving up thought about substance. Silent and still, lost in thoughtful meditation, he so continued for six years, each day eating one hemp grain, his bodily form shrunken and attenuated, seeking how to cross the sea of birth and death, exercising himself still deeper and advancing further.

Life is suffering The longer one lives it, the more suffering he has to undergo[1]

The Cause of Suffering.—At the close of the sixth year of his ascetic life, when he was thirty-five years old, he came to the conviction that such means of self-torture were not the way whereby to extinguish desire and produce ecstatic contemplation. He concluded that the mind is bound to lose its ease by hunger, thirst, and fatigue, and that the mind which is not at rest cannot attain the highest wisdom of Yoga concentration All at once he abandoned his austerities, whereupon his five disciples left him One night, wandering alone along the Neranjarâ River, he directed his course to Uruvelâ near Râjagaha and stopped at the foot of a Bodhi tree, where he sat cross-legged and continued meditating for seven days. Having already recovered his health since the abandonment of asceticism, he successfully resisted the temptations of Mâra—the Lord of five desires Uninterruptedly experiencing the bliss of self-emancipation beneath the shade of the tree, he at last accomplished " the Great Enlightenment " and awoke only to find himself completely delivered from all suffering. Having hitherto called himself the " Tathâgatha " (one who has gone thus in the way of Buddhahood), he now became the Buddha—" the enlightened one ".

What is the ultimate cause of suffering? At the end of those seven days, Gautama traced it out in the Chain of Causation[1]:

> Suffering comes from Decay and Death.
> Decay and Death are due to Birth
> Birth is due to endless Existence
> Existence is due to Attachment.

[1] " The Mahâvagga," i, 1, 2 , *Vinaya Texts*, pt i, *SBE* , vol xiii, pp 78-8.

Attachment is due to Thirst.
Thirst is due to Sensation.
Sensation is due to sensory Contact.
Contact is due to the Six Senses.
The Six Senses are due to Name-and-Form (or Mind-and-Body).
Name-and-Form are due to Consciousness.
Consciousness is due to Predispositions (samphara).
Predispositions are due to Ignorance.

This Chain of Causation is the famous doctrine of the twelve *nidānas* (links of the causal chain)—a law of causality which is apparently the Law of Karma logically transformed. Therefore, if the original seed be destroyed, all suffering including grief, lamentation, dejection, and despair, will be destroyed. The destruction of ignorance is ultimate to the cessation of this whole mass of suffering

The destruction of ignorance consists in the complete absence of lust. It is on account of the presence of Thirst—accompanied by pleasure and lust—that the perfection in wisdom cannot be reached, and by Thirst—for pleasure, for existence, and for prosperity—man is attached to the wheel of endless life and so bound to suffering.

Because of Thirst man is born over and over again, and yet it is not any soul or " I ", but the mass of predispositions moulded in the present life that has to pass over to next reincarnation according to the Law of Karma In reality there is no soul at all The body, sensations, perceptions, predispositions forming the intellectual and moral character, and consciousness, do not constitute it ; nor does any of these psychophysical elements into which the individual is analysed. For Gautama, anything compound is analysable, and is therefore transient ; since the " I " is so compound, it is impermanent. Reality being ceaseless change, the " I " is simply delusion. The soul is in the long run the temporal unity of the five *skandhas*. But Thirst leads everybody to crave for " I ", and this thought of " I " is wrong and therefore is not knowledge but ignorance which gives rise to all sorrows in the world. Unless one can complete the end of ignorance, he finds no truth and therefore no way of salvation.

The Cessation of Thirst.—The first condition to cease ignorance and so to cease suffering is the annihilation of

Thirst. It is indispensable to the attainment of Nirvâna, the state of permanent bliss. However, to force oneself to annihilate all natural desires and organic impulses is to practise that type of asceticism which Gautama had abandoned. All action must therefore be moderate, and the measure of its moderation is the route to salvation. The goal of the route is Nirvâna. Therefore, Nirvâna is the ultimate end of all moderate conduct; the way to Nirvâna is the absolute extinction of the thought of "I", deliverance from the "self", through the cessation of Thirst, the observance of right discipline and yoga concentration. When Nirvâna is attained one has ceased to think of good or evil and has risen above both good and evil. It is the state of the highest permanent happiness in which all Thirst is ceased and all suffering is destroyed. It may be attained during life or at death. Gautama attained it for the first time when he attained the enlightenment under the Bodhi tree, and belief in Nirvâna became the basis of Buddhist mysticism—the starting-point towards Arahatship, the highest Buddhahood.

The way to Nirvâna is the Eightfold Path which consists of eight precepts:—

Right Viewing.
Right Thinking.
Right Speaking.
Right Behaving.
Right Vocation.
Right Endeavouring.
Right Mindfulness.
Right Meditating.

The Eightfold Path thus prescribes rules mediating between self-torture and self-seeking. Forming the practical ethics of Buddhism, it is the code of the rules of moderate action in quest of the supreme Nirvâna. On this road to Arahatship one would eventually subdue ten errors which are sins: self-delusion, doubt, dependence on work, sensual passions, hatred, love of life on earth, desire for life in heaven, pride, self-righteousness, and ignorance. He who pursues the Path is a good man whether or not he was born a Brahman. "That Brahman who has removed from himself all sinfulness," said Gautama, "who is free from haughtiness, free from impurity, self-restrained, who is

an accomplished master of knowledge, who has fulfilled the duties of holiness, such a Brahman may justly call himself a Brahman, whose behaviour is uneven to nothing in the world."[1] Gone was the supremacy of the Brahman caste!

Public Ministry through Convincing Zeal.—Having thus delivered himself from suffering, in the world full of pain and sorrow he could not but cherish a wish to preach the new gospel of salvation—a deep compassion for the welfare and purity of "all that live". Thereupon, Gautama Buddha made up his mind to spend the rest of his life—from thirty-five to eighty years of age—for his evangelic work. "To whom shall I preach the doctrine first? Who will understand this doctrine?" Gautama asked himself.[2] Then he thought he might try to preach it first to the five Bhikshus who had attended on him during the time of his self-mortification. Wandering down here and across there, he came to Benares, to the deer park Isipatana, where the five mendicants were living. Through his convincing zeal he succeeded in winning them over to his way to Buddhahood. First of all, on explaining to them why he had abandoned the former ascetic life, he convinced them of the truth mediating between asceticism and hedonism[3]:—

> There are two extremes, which he who has given up the world, ought to avoid. What are these two extremes? A life given to pleasures, devoted to pleasures and lusts—this is degrading, sensual, vulgar, ignoble, and profitless; and a life given to mortifications—this is painful, ignoble, and profitless. By avoiding these two extremes, the Tathâgata has gained the knowledge of the Middle Path which leads to insight, which leads to wisdom, which conduces to calm, to knowledge, to the Sambodhi, to Nirvâna.

Salvation, if it be deliverance from the wheel of endless life, must result from the knowledge of four truths—the Four Noble Truths—of which Gautama Buddha now proceeded to convince them[4]:

> This is the Noble Truth of Suffering. Birth is suffering; decay is suffering, illness is suffering, death is suffering. Presence of objects we hate, is suffering, separation from objects

[1] Op. cit., i. 3, 8; op. cit., pp. 78–80.
[2] Ibid., i. 6, 5; ibid., p. 90.
[3] Ibid., 6, 17; ibid., p. 94.
[4] Ibid., 19–22; ibid., pp. 96–8.

we love, is suffering. Briefly, the fivefold clinging to existence is suffering.

Thus is the Noble Truth of the Cause of Suffering: Thirst, that leads to re-birth, accompanied by pleasure and lust, finding its delight here and there. This thirst is threefold, namely, thirst for pleasure, thirst for existence, thirst for prosperity.

Thus is the Noble Truth of the Cessation of suffering: it ceases with the complete cessation of this thirst—a cessation which consists of the absence of every passion—with the abandoning of this thirst, with the doing away with it, with the deliverance from it, with the destruction of desire.

Thus is the Noble Truth of the Path which leads to the cessation of suffering: that holy eightfold Path, that is to say, Right Viewing, Right Thinking, Right Speaking, Right Behaving, Right Vocation, Right Endeavouring, Right Mindfulness, and Right Meditating.

This is the famous Sermon at Benares which in nature and function corresponds to the Sermon on the Mount delivered by Jesus Christ. From this, the five mendicants, one and all, obtained reason and subdued their senses, following Gautama Buddha as his acknowledged disciples.

With the Sermon at Benares as the theme of his convincing technique, Gautama opened his public ministry and set out on converting people through logical argumentation and personal demonstration. Thus, before a noble youth named Yasa, for instance, he first talked about the merits obtained by alms-giving, about the duties of morality, about Heaven, about the evils, the vanity, and the sinfulness of desires, and about the blessings of the abandonment of desire. Then, when he saw the mind of the noble youth prepared, impressible, free from obstacles to understanding the Doctrine (*Dhamma*), he preached the Four Noble Truths and convinced him of every one of them. When Yasa's father came up to get him home, Gautama converted the old noble right away by following the same technique. Fully convinced of the truths, the latter shouted in excess of joy: "I take my refuge in the Blessed One (Buddha), and in the Doctrine (*Dhamma*), and in the fraternity of Bhikshus; may the Blessed One receive me from this day forth while my life lasts as a disciple who has taken his refuge in Him."[1] He was the first person converted by Gautama as a lay-disciple by the formula of the Buddhist holy triad. This

[1] Op. cit., i, 7, 10; op. cit., p. 104.

threefold utterance thrice repeated, marked the beginning of the ordination in the Buddhist ministry[1]:—

I go to the Buddha as my Refuge.
I go to the Doctrine as my Refuge.
I go to the Order as my Refuge.

Similarly, Yasa's mother and wife were converted and became the first female lay-disciples by the same formula. Conversion was thus placed entirely upon the self-avowing initiation of the candidate, which formed the basis of Buddhistic moralism.

So did Gautama convert King Bimbisâra of the Magadha country. The king became his patron, rewarding him with a bamboo grove for his place of abode. Thenceforth, he preached during the pleasant months of the year and taught during the four rainy months in that country, where he converted numerous unbelievers through the same technique. Meanwhile, accompanied by his thousand disciples he went back to Kapilavastu to see his royal father. On meeting the old king and the escorts, he preached the Doctrine similarly and at once he won the adherence of princes and nobles of the Sâkya tribe. Therefrom the king also started practising his religious duties in solitude, silent and contemplative, dwelling in his palace. Likewise, Gautama easily converted his wife, Yasodharâ, and his son Râhula. He died at the age of eighty, and on the verge of his death he told his disciples that death for him was merely permanent entrance into Nirvâna. He entered it in eternity between twin Sâla trees near the city of Vaishali while surrounded by hundreds of followers. He passed away with his new gospel of salvation left to his disciples, which it was absolutely imperative according to him to preach to the whole of mankind through the same convincing technique.

In his evangelic work, Gautama was a great organizer as well as preacher. To transcend all distinctions of caste, class, nation, and race, he organized his immediate disciples into an order of mendicants with himself as leader. To maintain universal peace, goodwill, and equality, he advocated the mission to encourage those who were not ready to join the order to follow the Eightfold Path at least,

[1] Among the three vows the last was added to the first two after the organization of the Order.

although he thought laymen occupied with worldly things had tremendous difficulties to attain Nirvâna.

The rules of the order and organization of the mendicants were numerous and elaborate. For Gautama, all action is good if done in performance of duties or in avoidance of sins. He prescribed ten precepts for the novices, and the exercise of the novices in these ten precepts[1]:—

> Abstinence from destroying life.
> Abstinence from stealing
> Abstinence from sexual impurity.
> Abstinence from lying.
> Abstinence from strong and strong drink and intoxicating liquors, which cause indifference to the Dhamma.
> Abstinence from eating at forbidden times (for instance, after noon).
> Abstinence from dancing, singing, music, and seeing spectacles
> Abstinence from garlands, scents, unguents, ornaments, and finery.
> Abstinence from the use of high or broad beds.
> Abstinence from accepting gold or silver.

The ordinary laymen must observe the first five commandments, the pious laymen the first eight To them, sexual impurity meant adultery, whereas for the mendicants it was marriage. To become a mendicant is to "leave home", and to "leave home" is to forsake all social relationships. The order of the Bhikshus, however, is neither unsocial nor anti-social. With so many rigid rules binding its brethren it is "super-social", working its way out at all hazards as the guiding and saving pioneer of the social order of the laymen.

As regards female converts, Gautama Buddha at first admitted them only as lay-disciples. He still cherished the idea that women are the source of distraction from good, and attraction to evil, which clearly reflected the social thought of his age. However, while in his native country, at the thrice repeated request of his aunt Mahâ-pajâpati to allow women to form the order of Bhikshunis (nuns), he consented Thereupon he prescribed the Eight Chief Rules which every nun must take upon herself as her initiation; but by the regulations of these rules she was

[1] Op. cit., i, 56, op. cit., pp. 211–12.

always held in subjection to the mendicant.[1] Bhikshunis were to be initiated by Bhikshus, and were required to follow the rules for the latter within the limits of their applicability.

The whole technique of socializing people was an absolutely moral one. Its gist was convincing through missionary efforts—personal demonstration and logical argumentation. Whether people accept the new creeds or not, the whole matter must be left to the private judgment of each individual. "Let no one ordain a person unless he has been asked to do so," said Gautama to his disciples, ". . . I prescribe that you ordain only after having been asked."[2] To take the threefold declaration of taking refuge in the holy triad, must be also a matter of personal self-determination. But, to take such an oath implies to take the vows, not to kill, not to steal, and so on. The process of initiation thus constitutes an original promise which everybody having once made it must live up to.

According to Gautama Buddha, vice-doing involves no penalty by any outer authority as a result. It simply ensues in self-damnation. There is neither a final judge nor a permanent court in the teachings of Gautama. In accordance with the Law of Karma, some will be born again as men, some—evil-doers—as lower animals; the good, as saints; the sinless go to Nirvana. The Law of Karma thus prescribes "impersonal legalism", so to speak. This is true as applied to everybody. But in the "super-social" order—the guide and saviour of the whole human community—he who violates any of the rules naturally loses his qualification for the saving soul of "all that live", and must therefore be expelled from the fraternity. This is not a sort of penalty in the legal sense; it is morally a consequence of self-damnation. It is imperative, according to Gautama, that one against whom expulsion had been pronounced, and who once "returned to the world" and then came back to the order, be admitted if he avowed his wrong and atoned for it.

However, prevention is always better than cure. To Gautama it is far better to forbid any unpromising candidate the "super-social" order than to acquiesce in seeing him

[1] v. "The Kullavagga", x, 1, 4; *SBE.*, xx, pp. 322–4.
[2] "The Mahavagga," i, 29, 1; *SBE.*, vol. xiii, p. 171.

" return to the world ". To test the qualifications of every candidate for receiving the ordination, Gautama therefore inaugurated eleven questions [1] :—

> Are you afflicted with the following diseases: leprosy, boils, dry leprosy, consumption, or fits ?
> Are you a human being ?
> Are you a male ?
> Are you a freeman ?
> Have you no debts ?
> Are you not in the royal (military) service ?
> Have your father and mother given their consent ?
> Are you full twenty years old ?
> Are your alms-bowl and your robes in due state ?
> What is your name ?
> What is your upajjhaya's (mendicant instructor's) name ?

Yet more important than prevention is personal example. Self-control is the only way to world-control. To convince people of the *Dhamma* personal demonstration is as urgent as logical argumentation. The guide and saviour of the people must do what he says. So did Gautama do whatever he taught.

[1] Op. cit., i, 76, 1; op. cit., p. 230.

CHAPTER VII

POINTS OF VIEW THROUGH FRAMES OF MIND

Factors of Conduct Elaborated by Modern Chinese Thinkers

This chapter—the last treatise in the study—is devoted to the *Factors of Conduct Elaborated by Modern Chinese Thinkers*, attempts to show how the problem-solving individual takes the point of view through his frame of mind, which has been moulded by his social environment, intellectual background, and personal career. One and all, eminent Chinese thinkers in the modern period (A. D. 960–1912) had a common aim in view—that is, the synthetic reconstruction of all channels of indigenous thought as relieved against ideas and ideals imported from abroad. In the light of national dangers due to the increasing contact and conflict between the Chinese and their surrounding peoples, they all cherished the same social frame of mind to create a consistent system of teachings in order that the social order and cultural unity of their countrymen might be consolidated. Nevertheless, each thinker's frame of mind was so much coloured with his knowledge and experience acquired from his age that he had to take a unique approach to the same problem and arrive at a conclusion peculiar to it.

Among modern Chinese thinkers, we shall consider four great ones, each most typical of his age—Chu Hsi, Wang Yang-ming, Huang Li-chou, and Sun Yat-sen. While the study expects to be suggestive rather than exhaustive, a flying call on these four men across a period of seven hundred years may not do enough justice to a number of other thinkers who had much to say about the problem. Nevertheless, through the four trends of thought at four different periods there can be traced out an underlying thread along which we shall describe the shifting emphases they made as to the various factors of conduct, and show that the shift was not so much due to the differences in personal career as due to the changes in social and intellectual background. The factors of conduct elaborated by Sun Yat-sen deserve special attention for the reason that by his social teachings and political principles the fate of the newly restored China will be shaped while in his intellectual background the East and the West met in the most harmonious way.

A. THE METAPHYSICAL ELABORATION—CHU HSI

1. *Political and Intellectual Background*

The modern period (960–1912) of Chinese history, both cultural and political, dates back to the rise of the Sung dynasty (960–1278). The T'ang dynasty (618–907), which witnessed territorial expansion, cultural prosperity, and the popularization of Buddhism and Taoism, was followed by five short-lived dynasties paving the gap of half a century. In those days powerful military leaders ruling in local districts always constituted a menace to the central government. With the rebellion of Huang Ch'ao—which hastened the end of T'ang—the achievements of T'ang were practically all swept away, with the result that militarism and despotism superseded culturalism and moralism. The founder of the Sung dynasty, Chao K'uang-yin (917–75), who had been the commander-in-chief under the Later Chou dynasty (951–60), was elected to the throne by his subordinate generals who had felt upon the death of Emperor Shih Tsung in 959 the incompetency of the minor boy-emperor and therefore the need of a strong man to head the national army in their struggles with the barbaric tribes to the west, north, and north-east of China. Upon his ascendance, to supplant militarism with culturalism he abolished the system of local military rulers and laid down a general defensive policy towards the surrounding tribes.

Chao K'uang-yin, now styled as Sung T'ai Tsu (meaning the great father of the Sung dynasty), patronized Confucianism, reviving the Confucian policy of cultural education. His brother and successor, T'ai Tsung (976–97), restored the hereditary privileges of the descendant of Confucius. The fourth emperor, Jên Tsung (1023–63), founded new schools throughout the empire. Consequently, literature and philosophy reached the climax of prosperity in Chinese history. Most statesmen were famous as writers; prime ministers as great scholars. All the great philosophers in this period, with a few exceptions, came from among high officials in the government.

The Sung emperors, however, over-estimated cultural revival, but underestimated military equipment. Throughout the Five Dynasties the Chinese had attempted quite

unsuccessful resistance against Kitans, a tribe of Eastern Tartars, and the early rulers of Sung managed by all means to guard against the aggressive barbarians until in the year 1125. Hui Tsung (1100–25)—the artist-emperor—could drive the Kitans out of China Proper only by making an alliance with the Kins, a sister tribe of the Kitans. The military strength of China had been exhausted by the long series of foreign wars. Two years later, when the Kin invaders entered the capital, Pienliang (in the present province of Honan), both Hui Tsung and his son, Ch'in Tsung, in favour of whom he had abdicated, were taken prisoners only to die in exile during the "Manchurian Captivity". Thereupon, Kao Tsung (1127–63), ninth son of Hui Tsung, took refuge southward to Nanking (in 1127), and two years later, farther south to Linan (the present city of Hangchow).

Scholars were no match for soldiers. Culturalism often had to surrender to militarism, which was very characteristic of modern Chinese history. After the Kin invasion, the third "Barbarian Invasion", the Mongol Invasion took place in the thirteenth century and the Manchu Invasion in the seventeenth century. In the light of all national dangers and cultural insecurities created by such circumstances, thinkers during this period deemed it their duty and frame of mind to maintain the social order and cultural unity of their fellow-men through all efforts they could exert.

All great thinkers of the Sung dynasty were pioneers in such an attempt. From them social turmoil called forth intellectual responses to solve practical as well as speculative problems. Though none of them lived to see his ideal vision bringing effects upon either domestic or foreign policy, yet their final triumph lay in the consolidation of the group mentality of their people in posterity. Wang An-shih (1021–86), for instance, one of the few greatest political economists in Chinese history who was also a great writer and thinker of his day, started to carry out his new measure to "enrich the country and strengthen the army" as soon as he was appointed member of the Council of State in 1069; but in vain. The same was true of the three memorials presented in 1163 by Chu Hsi—the greatest philosopher of the Sung dynasty—to Hsiao Tsung. As an eyewitness

of the rampancy of the "territory-hungry" Kin invaders in North China, he advocated in the first memorial the encouragement of the study of the Classics and the necessity of government by example, criticized in the second one the current negative foreign policy towards the Kins, whom he condemned as immoralists and obscurantists, and in the last one urged the creation of a pure court for the people.

On the other side, culturalism had its sweet fruits under the continual political patronage during this period. Various attempts to reconcile Confucianism, Taoism, and Buddhism had culminated in Ch'en T'uan (?–989) the eclectic, who has been supposed to have exercised tremendous influence upon the Sung philosophers. It has been said that while living the reclusive life, he elaborated the "Diagram of the Supreme Ultimate"[1] and the "Diagram of a Former Heaven"[2] which he handed down to Chung Fang who passed them over to Mu Shou. From Mu Shou, Chou Tun-yi inherited the "Diagram of the Supreme Ultimate", while the "Diagram of a Former Heaven" was given to Li Chi-ts'ai, who later handed it down to Shao Yung. Had such been the actual case, Ch'en T'uan was the original source of the Sung school of Confucian thought, which in fact revealed the profound influence of Taoism and Buddhism; especially so since it was Shao Yung and Chou Tung-yi who laid down the foundations of the school.

As a matter of fact, it is unnecessary to trace Buddhistic and Taoistic influences to the eclectic efforts of Ch'en T'uan. During the preceding ages, Buddhists had been strong in methodology, Taoists in metaphysics and alchemy, and Confucianists in ethics and politics; and now in order to counteract both Buddhism and Taoism the new Confucianists had to elaborate definite metaphysical ground for their practical teachings. Since response interprets stimulus and in turn is shaped by it, they could not avoid absorbing numerous ideas from their rival schools, to say nothing of those who had once been faithful students of Buddhism and Taoism. To search for the root of moral principles in the rational nature (*hsing*),[3] they had to search for the root of the National nature in the universe. Consequently, their interest was attracted to such subjects

[1] 太極圖 [2] 先天圖. [3] 性

as "Reason" (*Li*),[1] "Ether" (*Ch'i*),[2] "Mind," "Nature" (*Hsing*), and the like.

Thus, Shao Yung (1011–77) based his evolutionary naturalism on the basis of his theory of numbers, contending that since man is part of the natural order, the *Tao*, while concretely expressed as moral law in man's nature, is not ineffable but knowable.[3] His contemporary Chou Tun-yi (1017–73) taught a kind of pantheistic absolutism on the ground that the ultimate source of all things is the Infinite (*Wu-chi*), which is essentially of ethical character. They both reiterated "moralism through cultural education". Revered as the Descartes of China, the latter was well known as a teacher in particular. While he was charged with a small military commandment at Nanan (in the present Kiangsi province), a military officer named Ch'êng Hsiang asked to become his disciple, but was not accepted as he declared to him frankly that he was too old to reform his ideas and profit by his lessons. Thereupon, he confided him with the education of his two sons, Ch'êng Hao (1032–85) then being fourteen years old and Ch'êng Yi (1033–1107) then only thirteen. Later on, the brothers Ch'êng both became famous statesmen and great philosophers, developing the master's teachings with considerable originality. Their uncle Chang Tsai (1020–76) taught emphatically the identification of the ego with the external world on the metaphysical basis that the Great Harmony with a Spiritual Agency in the creative process is the ultimate substance of being common to all phenomena in heaven, on earth, and in man.

The influence of the Ch'êngs caused a powerful movement of thought spreading throughout the empire. Towards the close of the eleventh century, it had already penetrated into Fukien in the South, where Yang Kuei-shan (1053–1135), a pupil of the Ch'êngs, took the lead. He found his great disciple Lo Ts'ung-yen (1072–1135) propagating in that province the true doctrines of the sages. The most

[1] To be sure, we must differentiate this *Li* (理) from the *Li* (禮) meaning rites, morals, or rules of propriety.

[2] 氣.

[3] His philosophy can be summarized as follows: "The Nature (*Hsing*) is the concrete expression of Moral Law (*Tao*); the Mind is the moderator of the Nature, the body is the habitation of the Mind; and the external world is the vehicle of the body." (v. Bruce, *Chu Hsi and His Masters*, p. 87.)

famous among Lo's disciples was Li Yen-p'ing (1093–1163), a good friend and fellow student of Chu Sung (1097–1143), father of Chu Hsi. Chu Sung studied under both Yang Kuei-shan and Lo Ts'ung-yen, and it was in the prefecture of Yen-p'ing—after which Li T'ung was called—that Chu Hsi was born in 1130 amid stimulating intellectual surroundings and political chaos caused by the fall of North China before the Kin invaders.

When fourteen years old, Chu Hsi (1130–1200) lost his father, who, however, had left his education under the direction of three friends, Hu Hsien, Liu Peh-shui, and Liu Yen-ch'ung. All these three elders were profound scholars not only in Confucian Classics but also in Taoist and Buddhist Scriptures. Therefore, the budding philosopher had frequently consecrated his study to Buddhism and Taoism. It was not until the age of twenty-four that he returned to Confucianism in the School of Li Yen-p'ing. With the practicability of all Confucian teachings, Li won him to the orthodox doctrine of Chinese thought. "The *Tao* is not a far-off mystery"; said Li to Chu Hsi, "it is in the earnest practice of it day by day that you will gain a true understanding of it."[1] Thenceforth, Chu Hsi devoted his intellectual effort to arguing against the Taoists and Buddhists on the one hand and one the other defending the ancient and the later Confucianists such as Shao Yung, Chou Tun-yi, the Ch'engs, and Chang Tsai. While editing the works with his own commentaries, he attempted to synthesize the teachings of all his Confucian predecessors.

2 *Chu Hsi's Theory of Human Nature and Conduct*

Ethical Trends in Metaphysics.—By synthesizing Chou Tun-yi's monism of the Infinite and Ch'eng Yi's dualism of Reason and Ether, Chu Hsi started to formulate his double-aspect monism. According to him, the ultimate reality in the cosmos—the final cause of all things—is the Ultimate Supreme (*T'ai-chi*)[1] which is absolute by itself. When regarded as the principle relative to its opposite, it becomes Reason[2] as opposed to Ether. Therefore, it is

[1] Cf. Bruce, *Chu Hsi and His Masters*, p. 67. [1] 太極

[2] For the Chinese word *Li* (理) Bruce uses "Law" instead of "Reason." But in this study I prefer to use "Reason".

the ultimate extreme of Reason in the universe and of Moral Law (*Tao*) among human affairs.

Reason, working out its way as a regulative principle, controlling and directing, is neither matter nor energy. All phenomena have their norms. Inherent in everything, Reason is the norm of nocms, the rule of existence It is the principle of all-pervading unity. By virtue of Reason everything assumes the norm and fulfils the functions proper to it, and everybody performs the duties proper to his specific human relation. The essential attribute of Reason is *jen* or benevolence. The ultimate principle of the universe is therefore essentially ethical in character. Thus, while asserting the ethical ground of the ultimate stratum of all phenomena, physical and psychical, modern Confucianists best represented by Chu Hsi attempted to extend moralism throughout the universe.

In the dual constitution of the universe, while Reason is purposive and ethical, Ether is purposeless and neither spiritual nor material but can become either. Both being relative to each other, the production of Ether is necessitated by Reason. They are mutually dependent and inseparable. To *Li* or Reason *Ch'i* or Ether is its manifesting medium; to *Ch'i Li* is its regulative principle. Therefore, Ether is subsequent and subordinate to Reason. As Ether differs in degree and species, through this only medium, Reason manifests itself differently in both degree and species. That is why the ethical principles of which Reason is composed are embodied in varying degrees among different individuals.

Throughout Chu Hsi's metaphysics there is twofold dualism—between Reason and Ether and between Positivity (*Yang*) and Negativity (*Yin*) The material universe first evolves in the rotation of Ether wherefrom Ether shades into its two modes—*yin* and *yang* or inertia and energy. When energetic, Ether originates the positive (*yang*) mode—when in inertia, the negative (*yin*) one From the interaction of the Two Modes there are developed the five Elements—water, fire, wood, metal, and earth. By the interaction of the Two Modes and of the Five Elements, out of all chaos Heaven appears first, then Earth, and then all other phenomenal objects. Ether is then the substratum of the cosmos manifested in both physical and psychical phenomena with its Two Modes working hand in hand;

while Reason, being the immaterial element in the dual constitution of the universe, is the guiding principle of cosmic evolution to see the *Yin* and *Yang* Modes and the Five Elements do not get tangled up and fall into disorder. Thus, Heaven and Earth are but the manifestation of two principles—the *Ch'ien* and the *K'un*—which are the *Yang* and the *Yin* working in the sphere of cosmic evolution.

The Two Modes and the Five Elements, at the moment of their union and evolution, differ in different cases in the degree of their clearness or turbidity. This accounts for the causes of diversity among phenomenal objects. All creatures, including man, embody all the Five Elements. But man alone reveals the natural moral principles while lower animals do not. Because there are stages in the alteration of the negative and positive modes passing through a myriad transformations and because the lower orders of life possess those principles not in their perfection owing to the limitations caused by the grossness of Ether.

Metaphysical Bases of Psychology and Ethics.—Having inherited the mediæval Confucian doctrine of the identification of Heaven and man, Chu Hsi contended that as Heaven is Reason working as the ultimate principle of unity and harmony, its decree works as the vital impulse through all forms of organism. According to his predecessors—notably Shao-Yung—as well as himself, cosmic evolution works along a cycle of four periods analogous to the four seasons of the solar year. These four periods are ruled by four ultimate laws of the universe, attributes of the *Ch'ien*[1] and the *K'un*,[2] which are called Origin (*Yüan*),[3] Development (*Hêng*),[4] Utility (*Li*),[5] and Potentiality (*Chêng*).[6] Passing from the macrocosm to the microcosm, we find the principles of the universe corresponding to the four principles of Human Nature—benevolence, righteousness, propriety, and wisdom; production, growth, maturity, and storage, to solicitude, conscientiousness, courtesy, and moral insight of the Feelings; and the agent which causes production, growth, maturity, and storage, by the respective principles, corresponding to the Mind by which benevolence is affectionate, righteousness hates evil, propriety is courteous, and wisdom knows.

Man is the composite of the spiritual and the bodily ingredients. The efflux of the spiritual faculty is consciousness.

[1] 乾 [2] 坤 [3] 元 [4] 亨 [5] 利 [6] 貞

which can be only where there is union of Reason with the ethereal element. The Mind is the union of consciousness with the Nature (*Hsing*) which is Reason inherent in it. It is the seat of spiritual intelligence, the ruler of the entire personality, and the essential attribute of life. It is the agent by which man rules his body. It controls the external world in that with it man contemplates external objects and so discovers principles of the universe. It unites the Nature and the Feelings, but is not united with either of the two, and by directing their activities it moulds their functions. "The Nature is the Reason of the Mind; the Feelings are the Nature in action; and the Mind is the ruler of the Nature and Feelings."[1]

Since the mind of Heaven and Earth is benevolent, the "true" mind of man is the moral mind. The mind-substance is originally good, and "it is only because it has been beguiled by external things—*the seductions of its environment*—that it becomes evil."[2] The Decree of Heaven is diffused throughout the whole universe. As Ch'êng Yi said that "that which Heaven imparts is the Decree; that which the creature receives is Nature",[3] Chu Hsi held that Reason is one: as imparted by Heaven to the universe it is called "Decree", as received by the creature from Heaven it is called "Nature". "The word 'Nature' (*Hsing*)," he said, "refers to what is individualized, the word 'Decree' to what is all-pervading."[4] The Nature as decreed by Heaven is the original nature which is formless but consists of substantive moral principles such as benevolence, righteousness, etc. While the Moral Order is universal, the Nature is individual, and the Mind is just the seat of the assemblage of its moral principles. "The Moral Order is Reason as we find it in the external world; the Nature is Reason as we find it in ourselves. . . . The Nature is the framework of the Moral Order."[5] Moral Law (*Tao*) and the Nature (*Hsing*) are one and the same thing.

What we call the Nature, then, is the original Nature which is universally and absolutely good, rising above the

[1] Chu Hsi, *Philosophy of Human Nature*, J. P. Bruce's tr., p. 231.
[2] Ibid., p. 203. Italics mine.
[3] *Literary Remains of the Brothers Ch'êngs*, pt. vi, f. 9, quoted by Chu Hsi in the *Philosophy of Human Nature*, p. 7.
[4] Chu Hsi, op. cit., p. 7.
[5] Ibid., p. 10. [6] Ibid., pp. 23–4.

distinction between good and evil. Therefore, Chu Hsi particularly makes it clear in the following passage [1]:—

> The original Nature, it is true, is the all-comprehensive perfect goodness apart from any comparison with evil. This is what is imparted to me by Heaven. But the practice of it rests with man in addition to good. Conduct in accord with this original nature is good. Conduct out of accord with it is evil . . . It is in man's conduct that the distinction between good and evil arises, but the good conduct is the outcome of the original nature. If, as Wên Tung (namely, Hu Hsien) says, there is both an absolute and a relative goodness, then there are two natures. Now the Nature which is received from Heaven, and the Nature from which good conduct proceeds, are essentially one; but the moment the good appears, there immediately appears with it the not good, so that necessarily you speak of good and evil in contrast. It is not that there is an antecedent evil waiting for the goodness to appear with which it is to be contrasted, but that by wrong actions we fall into evil.

Throughout his treatment of human nature, Ch'êng Yi's saying, "The Nature is Reason," and Shao Yung's, "The Nature is the concrete expression of the Moral Order," are quoted over and over again. But then what is the source of evil? Or what is the factor of anti-social conduct after all?

To account for the source of evil, Chu Hsi distinguished between the "original Nature" and the "Ethereal Nature." Our corporeity is constituted by Ether. "When the physical Nature is spoken of, Reason and Ether are referred to in combination" [2]. "The physical Nature is simply the original Nature inherent in the physical element, becoming one Nature in union with it" [3]. Man lives by the union of the Nature with Ether. In this union the Nature pertains to Reason and is formless while Ether pertains to form and is material. The former is altruistic and invariably good, the latter is selfish and potentially evil. The manifestations of the former are all the workings of Reason; those of the latter are all the actions of human desire.

In the dual constitution of all creatures, the Nature is one only. It was already in existence before the ethereal element existed. "The former is transitory, the latter is eternal. Although the Nature is implanted in the midst of the Ether,

[1] Op. cit., p. 25. Italics mine. [2] Ibid., p. 13. [3] Ibid., p. 71.

the Ether is still the Ether, and the Nature still the Nature, without confusion the one with the other." [1] However, it is entirely owing to the variation in the physical element that differences develop. The Decree in its true meaning proceeds from Reason, and its variations proceed from the physical element. In all men the Nature is the same, but their ethereal endowment is necessarily unequal. The Nature of men and other creatures is essentially the same; the ethereal endowment again necessarily differs [2] "Those whose ethereal endowment is clear are saints and sages in whom the Nature is like a pearl lying in clear cold water Those whose ethereal endowment is turbid are foolish and degenerate, in whom the Nature is like a pearl in muddy water." [3] Thus, while the original, rational nature includes all the innate moral ideas, the ethereal nature discriminates good and evil, and is therefore the source of evil

Coming to the topic of "Feelings", Chu Hsi defined it as "activity in response to affection by the external world". [4] "The Nature is that which precedes activity, the Feelings follow activity; and the Mind includes both the pre-active and the post-active" [5] The Feelings are the Nature in operation, and from the Nature emanate the Feelings. "The Nature consists of principles (moral ideas), the Feelings are their outflow and operation The Mind's consciousness is the agent by which these principles are possessed and the Feelings put into practice." [6] Therefore, from the goodness of the Feelings, we can infer the goodness of the Nature Nevertheless, while the Nature is permanently good, the Feelings are not always wholly good. In origin they are constituted for doing good; when perverted by the ethereal element they issue in the practice of evil.

If Feeling refers to the character of the emanation from the Nature, the Intention [7] is what determines its character, and the Will is "the direction of the Mind"—the direction in which the Mind moves. Of the Will Intentions are the working processes, to and fro, as its feet Quoting Chang Tsai, Chu Hsi argued that "the Will is altruistic, and Intention egoistic". The former, according to him, is strong,

[1] Op cit., p 88 [2] Ibid., p 74 [3] Ibid., p 91
[4] Ibid., p 235 [5] Ibid., p 234. [6] Ibid., p. 240
[7] Ibid., p. 280 Instead of "Intentions" Prece puts "Motives" for the Chinese word yi (意), which seems rather confusing

clear, and positive; the latter, weak, turbid, and negative. Intention is always particularized and therefore individualistic and egoistic. When perverted by the ethereal element, it tends to evil, too

Rational and Intellectual Factors Emphasized in Practical Ethics—If the true mind is the moral mind, it is necessary to guard your mind and make the mind true. "What is termed evil is in the ethereal element."[1] Therefore, it is imperative that the rational rule over it. For the measure of conduct, Chu Hsi reiterated the Doctrine of the Mean which, according to him, is the attribute of Heaven and Earth.[2] Endowed with the sense of the Mean man is born. It works only when the Nature is preserved and developed; it is disturbed because men lose their Nature on account of habits engendered by the material[3] element

Self-control for Chu Hsi implies the control of the ethereal element Virtue must succeed in overcoming Ether. But how can we make virtue overcome Ether? To answer this, Chu Hsi held that the Moral Law (*Tao*) is the right way followed by all through all ages. It prescribes such permanent duties proper to every kind of social relationship as the beneficence of the father, the filial piety of the son, the benevolence of the sovereign, and the loyalty of the minister. The "five duties of universal obligation" are the operation of it Named *Tao*, it is derived from the principle of inherent right present in all phenomena.[4] The substance of the *Tao* is therefore incorporeal.

Just as for Kant, the Moral Law for Chu Hsi—as affiliated with Reason—is the source and sanction of his theory of virtue as well as of his theory of duty He defined virtue as "the reception of this Law in one's own person"[5] or as "the practice of the Moral Law"[6] The *Tao* or Moral Law, including both substance and operation, is the "invisible road" which all men follow; while Reason consists of numerous "vein-like principles included in the term *Tao*"[7] Reason inherent in the mind is the Nature which is the concrete expression of the Moral Law In order to know the reality of the Moral Law, we must seek

[1] Op cit., p 80
[2] Ibid., p 61
[3] Ether when precipitated turns into Matter
[4] Op cit., pp 285–6
[5] Ibid., pp 272–3
[6] Ibid., p 304
[7] Ibid., p 270

it in our own nature by investigating its innate moral principles united in one comprehensive term by the Moral Law.

While metaphysically Reason functions as the guide and standard of the Two Modes and the Five Elements, in ethics it works exactly in the same manner, regulating the various social relationships and guiding the principles of the Five Constants, as the ultimate course to which all ways of life as well as all modes of existence conform. These Five Constants are constant innate moral motives or ideas working from within. Habitually expressed, they are known as virtues.

Among these principles, benevolence reigns supreme. While Chu Hsi's ethics is fundamentally jural, he recognizes the highest transcendental and ingenuous ideal in altruism, which is antecedent to benevolence. Altruism pertains to Reason; benevolence to personality. "Benevolence[1] is the principle of affection, and altruism is the principle of benevolence; therefore, if there is altruism there is benevolence, and if there is benevolence there is affection."[2] The universe is benevolent. Man must have been unselfish in order to be benevolent; and after benevolence comes self-identification with all things in the universe. Benevolence is "the idea of harmony".[3] Benevolence is the energy-producing principle including the other principles. In its operation it manifests three phases—moral insight, courtesy, and judgment—before its deed is complete.[4] "Benevolence itself is the original substance of benevolence, reverence (propriety) is benevolence expressing itself in graceful form, righteousness is benevolence in judgment, and wisdom is benevolence discriminating."[5]

To these four principles, sincerity is added. As the principle of reality, "sincerity is reality, and reality means that a thing IS."[6] Just as Earth gives reality to other elements so that the four seasons work, sincerity gives reality to all of the principles whereby each acquires a real existence. It is only when the positive and negative modes unite all the virtues, and the five nature-principles are all complete, that

[1] Instead of "benevolence" Bruce uses "love"
[2] Op. cit., p. 320
[3] Ibid., p. 325
[4] Ibid., p. 316
[5] Ibid., p. 401
[6] Ibid., pp. 411, 416

we can have the due Mean in our conduct and the perfect uprightness of the sage in our character.

Through the establishment of benevolence and the practice of righteousness the Nature can be made steadfast. Ordinary men fail in steadfastness "not because the Nature was originally defective, but because its benevolence has been violated by self-concentration, its righteousness has been injured by calculating cleverness, and so the Feelings are beclouded and feverish anxiety prevails".[1] Virtue and profit, duty and expediency, are as mutually incompatible as morality and legality. "Self-concentration" and "calculating use of wisdom" are not only detrimental to the "steadfast Nature", but also make impossible the natural practice of altruism and the spontaneity of clear insight.

"Steadfast Nature" means "the attainment of the original quality of the Nature by the completion of the work of preservation and nurture".[2] Therefore, Chu Hsi taught, hold fast to the Mind and preserve its original nature. Be sedate and serious! Sedateness has to do with demeanour, seriousness pertains to action.[3] With the sedate and serious Mind we can "exhaustively investigate principles, and by following these principles we determine our attitude to external things, just as the body uses the arm, and the arm the hand".[4] Discard anger and cherish altruism, observe principles and act in harmony with them.[5] These are the prescriptions for examining oneself and eliminating the evil. It is thus clear that the understanding of principles is antecedent to the practice of them. The intellectual factor was therefore exceedingly emphasized by Chu Hsi in his principle of character-building.

5. THE PSYCHOLOGICAL ELABORATION—WANG YANG-MING

Mind is Reason.—While generally revered as the greatest speculative philosopher of modern China, Chu Hsi has had two rival thinkers diametrically opposed to him. The

[1] Op. cit., p. 257. [2] Ibid., p. 268. [3] Ibid., p. 440.
[4] Ibid., pp. 213–18. [5] Ibid., pp. 257–8.

first one was Lu Hsiang-shan (1139–91) who met him in 1175 and again in 1181 and conferred on philosophical subjects. Because his starting conviction that the universe is not due to the interaction of the Two Modes and the Five Elements under the guiding principle of Reason differs so much from that of the orthodox Sung philosophers, he was regarded by many thinkers as heretic. Another one was Wang Yang-ming (1472–1528), born more than three hundred years afterwards, during the Ming dynasty (1368–1661). It was this thinker of posterity who first made it clear that Lu Hsiang-shan was just as much a disciple of the ancient sages as Chu Hsi, and that though he had engaged in a long discussion with the latter, it was not right for people to accuse Hsiang-shan of advocating Buddhistic doctrines.[1]

Wang Yang-ming was born of a well-known scholarly family, wherein his precocious mind was deeply impressed by the intellectual stimulation from his father and forefathers. At first he learned the art of chivalry, then the art of archery and horseback-riding, then the art of essay-writing, then the way to immortality, and then the creed of Buddhism. It was in the year 1505, when he was thirty-three years old, that he first proclaimed the importance of devotion to the doctrine of orthodoxy. All sorts of work he had done did not come to naught, however. He grew to become a Jack-of-all-trades and master of everything, distinguishing himself as thinker, writer, essayist, poet, statesman, and strategist. As viceroy he suppressed local revolts and pacified war-like aborigines in south-western China, thus contributing concretely to the peace and order of his people. As student with critical insight, he first investigated and then rejected the creeds of Buddhism and Taoism largely on the ground that the learning of Confucius is simple but profound and far more practicable than any of the other two systems.[2] In the year 1511, while head of the inspection department of the Board of Civil Offices, he first discoursed upon the learning of Chu Hsi and Lu Hsiang-shan and thenceforth he had to choose between these two greatest predecessors of him. "One can learn to become a sage."[3] He decided in favour of Lu and

[1] *The Philosophy of Wang Yang-ming*, F. G. Henke's tr., pp. 395 ff.
[2] Ibid., p. 139. [3] Ibid., p. 7.

three years later definitely appealed to Mencius more than anybody else for authority and turned especially to "intuitive knowledge" for instructing his disciples. As a result, more than anybody else's, his system of teachings stands clearly relieved against that of Chu Hsi.[1]

For Wang Yang-ming as well as for Lu Hsiang-shan the ultimate reality of the universe is not the Ultimate Supreme but the Mind. The Mind is Reason permeating the whole universe. All the phenomena in the world are nothing but the forms of the Mind in operation. There is nothing that exists independent of the Mind. For the Mind and principles of which Reason consists are one. It is only because people make a distinction between them that there are so many (mental) diseases or evils. The activity and tranquillity of the Mind involve each other. "The *Yin* is the cause of the *Yang*, and the *Yang* is the cause of the *Yin*."[2] Hence, the absurdity of any dualistic interpretation of things and ideas.

Back of this subjective idealism, there is Wang's psychological approach by the method of introspection. True, in his life and work he largely started from self-introspection as the way to self-cultivation. "Learning must strike into the inner nature."[3] So he taught: "When you study you must introspect. If you merely reprove others, you see only the faults of others and do not come to a realization of your own mistakes. If you bring your study to bear upon yourself, you will realize that you are in many respects imperfect."[4] But why should we start from self-introspection if we want to cultivate ourselves?

Self-introspection is necessary and indispensable particularly for the reason that the *summum bonum* is inherent in the Mind. The Mind is Reason and the principles of Reason are "heaven-given" and transcendental. Therefore, before we investigate things we must introspectively investigate the "heaven-given" principles which are the principles of the vital force. Without these principles there could be no functioning of the vital force, and without this functioning those things that are called principles could not be seen. "The principles of things are not to be found

[1] The comparison of these two systems is precisely well brought out by Lee Shih-hsun in his *Philosophy of Life* (vol. i, p. 408).
[2] Wang, op. cit., p. 226. [3] Ibid., p. 340. [4] Ibid., p. 163.

external to the Mind. To seek the principles of things outside the mind results in there being no principles of things." [1] Chu Hsi was wrong, according to Wang, in that he had separated mind and principles by advocating the search after fundamental principles in all affairs and things through the use of the Mind.[2] The principle of filial piety, for instance, is to be sought not in one's parents but in one's own mind

The mind is the embodiment of moral principles It is one and is the Nature When corrupted by human aims and passions, it is called a selfish mind; otherwise, an upright mind It is absurd to distinguish the absolutely good mind and the relatively good one susceptible to evil as taught by Chu Hsi. "The Mind is master of the body; the Nature (disposition) is completely included in mind; and virtue is originally to be found in nature" [3] Body, mind, nature, purpose, knowledge, and things—all these are but one unity The body refers to the place that unity occupies, "nature" to the accumulating of the principles in the individual; "mind" to the controlling factor of this accumulating of principles; "purpose" to the manifested activity of the controlling power; "knowledge" to the intelligence and clear realization of the manifested activity; and "things" to the stimulation and response to this knowledge

The Nature is the embodiment of the Mind The original Nature is the embodiment of Reason, of "heaven-given" principles. Being *a priori* good, the original Nature is to be identified with the path of duty (*tao*). Therefore, he who strikes into the inner nature of his mind thereby understands the path of duty As the Nature while including the principles is not subject to the category of space and is devoid of internal and external, introspective investigation of these principles is more important than external investigation of things and affairs.

Make your original nature of the mind the master. Because if thoughts and ideas are not the product of the mind's original nature, they are selfish Therefore, Wang Yang-ming argued for the transcendental goodness of the original nature [4]:—

> Benevolence, righteousness, propriety, and wisdom are nature manifesting virtue. There is only one nature and no other.

[1] Op cit., p 266 [2] Ibid., p. 304 [3] Ibid., p 367 [4] Ibid., p 88

Referring to its substance, it is called heaven; considering it as ruler or lord, it is called Shang-ti (God); viewed as functioning, it is called fate; as given to man it is called disposition; as controlling the body, it is called mind. Manifested by the mind, when one meets parents, it is called filial piety; when one meets the prince, it is called loyalty. Proceeding from this on the category is inexhaustible, but it is all one nature, even as there is but one man (in the generic sense).

Thus, the Nature is the category of the Mind, the basis of all reality.

The Intuitive Knowledge of Good.—The clear, intelligent realization of the "heaven-given" principles is called "intuitive knowledge".[1] Man is born with the ability to discriminate good and evil. This is the intuitive (*chih-chou*)[2] faculty which in its application of principles need not look to the consequences of action. It transcends all time and space, being "characterized by quick apprehension, clear discernment, far-seeing intelligence, and all-embracing knowledge. It is magnanimous, generous, benign, and mild; it is self-adjusted, grave, correct, and true to the mean; it is accomplished, distinctive, concentrative, and searching".[3] It is and ought to be the guide in learning. Therefore, act in accordance with the dictates of the intuitive faculty.

Thus, the intuitive faculty presupposes the "good sense", and the intuitive knowledge of good is the highest type of knowledge. That knowledge is the knowledge of virtues and duties, both being innate to the mind. It cannot be attained through external investigation, but by developing the intuitive faculty to the utmost through investigation of things in order to overcome selfishness and reinstate the rule of Reason. The extending of this knowledge is the only culture.

According to Wang, genuine knowledge is conduct, and real knowledge includes practice.[4] So does the intuitive knowledge of good depend in its application upon one's speech and one's body. Knowledge and practice are inseparably united. Their separation is due to the distinction between external and internal, in which the original nature is lost. It is due to selfishness and does not represent the original character of both knowledge and practice. Those

[1] Op. cit., p. 200. [2] 知覺. [3] Ibid., pp. 468 ff. [4] Ibid., p. 297.

who fail to practise what they claim to know, also fail to know. Knowledge without practice is lack of knowledge. For this disease, Wang attempted to offer a remedy by expounding his famous doctrine of the identity of knowledge and conduct [1]:—

> Since in study and inquiry present-day men distinguish between knowledge and practice, they do not check their debased thoughts which have not been expressed in action. When I say that knowledge and practice are one, I wish others to know that at the very point at which thoughts are manifested, there is incipient action. If the inception is evil, the evil thought should be subdued. It is necessary to get at the root, to go to the bottom, and not allow evil thoughts to lurk in the breast. This is the purport of my dicta.

The separation of knowledge and practice was thus regarded as the source of current evil, the basis of anti-social conduct.

Therefrom, Wang Yang-ming proceeded to the proof of his doctrine of the identity of knowledge and conduct. First of all, he argued that knowledge and practice (or conduct) refer to one and the same task. Knowledge is "the condition in which one clearly recognizes and minutely investigates the methods of practice"; practice is "the state in which knowledge is genuine and true".[2] Next, he dwelt on the psychological and most important argument as witnessed in the following passage [3]:—

> Seeing beauty is a result of knowledge, loving the beautiful is a result of practice. Nevertheless, it is true that when one sees beauty one already loves it. It is not a case of determining to love it after one sees it. . . . No one should be described as understanding filial piety and respectfulness, unless he has actually practised filial piety toward his parents and respect toward his elder brother.

As to their temporal relation, he said: "Knowledge is the beginning of practice; doing is the completion of knowing."[4] Thoughts are incipient acts. Knowledge is the purpose to act; practice implies carrying out knowledge. Knowledge thus necessarily leads to practice if it be true at all.

Basis of Self-cultivation.—Since the intuitive knowledge is the knowledge of virtues and duties, everybody must

[1] Op. cit., p. 155. [2] Ibid., p. 261. [3] Ibid., p. 54. [4] Ibid., p. 55.

"extend the intuitive knowledge of good to the utmost",[1] which is the basis of self-cultivation. It is characteristic of all men, and yet may be obscured if not developed. Therefore, both study and self-control must follow the lead of intuitive knowledge. "Humility is the foundation of all virtue; pride is the chief of vices."[2] The humble person alone would reflect upon himself and investigate principles inherent in his mind; but in so doing lack of effort involves selfishness and hinders progress. "Get rid of human passions and preserve heaven-given principles"[3] By so doing the original nature of the mind is preserved and nourished.

To expel evil, one must know the cause of evil, which Wang found in things external to the body such as fame and gain. The mind of the evil man has lost its original nature, amid the passions stirred by external things. "Pleasure, anger, sorrow, and joy are in their natural condition in the state of equilibrium and harmony. As soon as the individual adds a little of his own ideas, he oversteps and fails to maintain the state of equilibrium and harmony. This implies selfishness."[4] And selfishness is acquired out of love of lust, love of gain, love of fame, and the like. When free from the obscuration of selfish aims, the mind is the embodiment of the principles of Heaven. The passion must be subordinated to the will. So, maintain a firm will and devote your energy to displaying the "good sense". In learning, we investigate things simply on purpose to extend our intuitive knowledge to the utmost. "To do good and expel evil is what is meant by investigation of things"[5] As regards the issues of "extending the intuitive knowledge of good to the utmost", Wang Yang-ming made a concluding remark as follows[6]:

> If the superior men of this world devote themselves to developing their intuitive knowledge of good, they will be able to be equitable in judging right and wrong, and will have common likes and dislikes, they will consider themselves as one structure with heaven, earth, and all things. Then it will be impossible to see All-under-Heaven (to be more exact, the Empire) governed unwisely.

Self-cultivation is antecedent to group-pacification. Such is a dictum typical of orthodox Confucianists.

[1] 致良知 [2] Op. cit., p. 185. [3] 去人欲存天理.
[4] Op. cit., p. 80 [5] Ibid., p. 107 [6] Ibid., p. 429.

C. THE HISTORICAL APPROACH TO POLITICAL AND LEGAL PROBLEMS—HUANG LI-CHOU

Huang Li-chou Impressed by His Community.—One century after Wang Yang-ming had passed away, a great thinker and writer was born into the school of his philosophic tradition who grew up to solve, from the historical approach, political and legal problems which he had practically neglected in his speculation. This was Huang Li-chou[1] (1610–95), born of a mandarin family of distinguished scholarship. While serving in the government as an inspecting censor, his upright-minded father in 1625 bravely impeached the rampant eunuch Wei Tsung-hsien, only to die imprisoned in the following year at the instigation of the latter, who was finally executed towards the end of the same year. Two years later (1628), Li-chou, then scarcely nineteen years old, went up to the capital, Peking, and memorialized to Emperor I Tsung (毅宗) (1628–44) of the Ming dynasty (1368–1661) an appeal for justice to right the wrongs done to his departed father.

After returning home at Yuyao (in Chekiang Province), he served his aged mother with filial devotion while himself devoted to studies particularly under Liu Nien-t'ai (1578–1645). In the year 1644, when he heard of the fall of Peking before the Manchu invaders, with his master he recruited a band of loyal volunteers to resist the Manchus then pushing down toward South China. Just as he had ventured to avenge his father years before, he now regarded it as his right and duty to risk his life to defend the House of Ming, greeting Prince Lu with hundreds of followers in the following year. Four years later (1649) he was sent to Japan on purpose to ask the Japanese for help in the Chinese national campaign against the Manchus. Iyemitsu, the third military dictator of the Tokugawa Shogunate in Japan, dared not accept the request because of the fear lest the same national catastrophe might fall upon Japan; so that Huang Li-chou had to sail homeward as soon as he arrived at the harbour of Nagasaki. The contemplated plan, having come to naught, his homeward voyage as

[1] His original name was Tsung-hsi. Li-chou was his style.

described in his "Crying for Sorrow beyond the Sea"[1] and "Asking Armies from Japan"[2] merely intensified his patriotism all the more. He continued the same attempt to offer by all means resistance against the Manchus; but in vain. At last he made up his mind to go home and spend the rest of his life in instructing pupils and expounding teachings in the hope that the order and unity of his people might be preserved even in the golden days of the Manchus and the lost country restored in posterity. In 1678 and 1690 he was offered a high office by Emperor K'ang-hsi in the Manchu government, but twice he declined the appointment.

While the Manchu Invasion was distressing Chinese patriots, Chinese scholars who refused to accept any official offer continued displaying the bloom of their knowledge and ability. In reaction to the speculative metaphysics of Sung and Ming thinkers, the "demonstrative methodology of material selection and historic criticism" arose during this period of national crises. The best representative of this school was Ku Ting-lin (1613–82), who, in opposition to Wang Yang-ming, argued that while the ancient School of Pure Speech had spoken of Lao Tzŭ and Chuang Tzŭ, the modern School of Pure Speech was talking on Confucius and Mencius, and that the latter witnessed the decline of the Middle Kingdom just as the former had hastened the fall of the Chin dynasty. Therefrom followed his three essentials of learning: develop your creative originality, search after evidences, and exhaust its practicability.

While a subjective idealist of Wang's tradition, Huang Li-chou, like his great contemporary, Ku Ting-lin, emphasized the practicability in learning of all knowledge and thought. Instead of speculating on any more metaphysical problems, he turned to political and legal problems from the historical approach. Having kept firmly in mind his father's dictum: "A scholar must be well versed in historical events," he made an intensive, systematic study of the historical development of Chinese thought and culture, and as a result, wrote many works on previous and current history, for example, *The Literature of Sung*

[1] 海外慟哭記　　[2] 日本乞師記

Philosophers,[1] *The Literature of Yüan Philosophers*,[2] *The Literature of Ming Philosophers*,[3] and such. Having acquired profound understanding of the causes and events of the rise and fall of the various dynasties in the past, he expounded his political and legal thought in his famous *Prospective Inquiries into the Ruins of Ming*,[4] which he wrote in 1662, the year following the complete collapse of the House of Ming. This masterpiece was his systematic development of Mencius' doctrines of democracy and anti-monarchism, and was handed down to become the seed of ruin to the Manchu dynasty. It was no wonder that leaders of the recent anti-Manchu movement in China hailed it as the gospel of republicanism, distributing thousands of copies among the Chinese multitudes.

Huang Li-chou in Reaction to his Community.—Chu Hsi had emphasized reason and knowledge, Wang Yang-ming intuition and practice, and both had equally elaborated the adaptive factors of conduct. As over against such a background, Huang Li-chou turned his attention to normative factors, namely, political and legal institutions. Thus, in his *Prospective Inquiries into the Ruins of Ming* he dealt with the problem of sovereignty, first of all. Historically, he compared the political motives of rulers from the Three Dynasties upward. The rise of political rule he described with the flavour of a social contract theorist as found in the following passage[5]:—

> In the beginning of human life, everybody did for his own sake; when there was public gain in the world, none would further it; when there was public harm, none would remove it. Meanwhile, there appeared some humane person, not considering his own personal gain as gain so as to let the world receive his gain and not considering his own personal harm as harm so as to let the world remove his harm. Thus, his diligence and industry must have been thousands of times as enormous as that of the rest of the world. To have exerted myriads of diligence and industry, and yet to have not enjoyed the gain, must have been what the ordinary man in the world would not like to bear. . . .

Such humane persons as Yao, Shun, and Yü, must have been benevolent in motive while regarding the elevation

[1] 宋儒學案　[2] 元儒學案
[3] 明儒學案　[4] 明夷待訪錄
[5] "The Originality of Sovereignty" (原君), ibid. (my trans.)

of public well-being as duty. Rulers after the Three Dynasties were simply interested in their own personal interest [1]:—

> Rulers of men in posterity were different, each considering all privileges to concern the gain and harm of the world as emanations from himself. He deemed it not illegitimate to monopolise in his hand all the gain of the world and attribute to others all the harm of the world. . . .

Compared with the democratic, altruistic government of the ancient sage-kings, the rule of later kings was simply the way of self-seeking egoists [2]:—

> In the days of antiquity the Empire (meaning the community) was the host, the ruler the guest. Whatever enterprises the sovereign undertook were undertaken for the sake of the Empire. At present, the ruler is the host, the community is the guest. . . .

It is better to have no ruler than to have a self-seeking one. The ruler who does not well rule is the greatest harm to the people, who can get along better without any ruler than with a self-seeking ruler. It is not right to establish a sovereign if the people do not find him right. Sovereignty, however, can be forfeited. What Mencius said is right: Such tyrants as Chieh and Chow ought to be "punished".

The people as well as the ministers always retain the right of revolution—to call the tyrant to account. The relationship between father and son cannot be analogized to that between sovereign and minister; because the former is transcendental and permanently fixed, the latter temporal and susceptible to change. The relationship between sovereign and minister takes "All-under-Heaven"—or to be more exact, the opinion of the people—as its criterion. Therefore, mere obedience and self-sacrifice alone do not suffice to characterize a minister, a good and wise minister [3]:—

> If such be the case, then what can be called the right way of the minister? It is simply this, that, all over the Empire, since a single person cannot settle order and therefore has to rule by means of the division of labour, I appear to hold an office in government only for the sake of the Empire but not for the sake of the ruler himself, and for the sake of myriads of people but not for the sake of one surname . . .

[1] Op. cit. [2] Ibid
[3] "The Originality of Ministry" (原臣), op. cit. (my trans.).

Ministers were originally attendant not on one family but on the whole Empire. They served the people and not the ruler alone. Ministers of posterity, however, have been erroneously talking on the "Great Cause"[1] while "regarding the ministers as established for the sake of the ruler on the ground that 'as the ruler gives me a share in the Empire, I govern it, and as the ruler assigns me people, I tend to them'; whereas in reality, he simply regarded the people as the chattel personal in the bag of the ruler".[2] To support tyrants is to put the Empire into disorder, to punish tyrants is to settle the Empire into order[3]:—

> Because the order and disorder of the Empire does not lie in the rise and fall of a single surname but in the joy and sorrow of the people. Thus is why the fall of Chuah and Chow was order and why the rise of the House of Ch'in and of the Mongols was disorder. . . . The minister, who disregards the welfare of the people, even though he might be able to support the ruler to rise and follow the ruler to ruin, is nobody else but a rebel against the right way of the minister. . . .

Thus, while the rule of ancient sage-kings is the best example of benevolent government, anti-monarchism must be held to as the check to tyranny. The general sentiment—joy and sorrow—of the people is the source and criterion of loyalty to the ruler on the part of the minister.

Coming to the problem of law and legality, Huang Li-chou elaborated public utility as the criterion, and general opinion as the source, of legality. Thus, in the following passage he wrote[4]:—

> During the Three Dynasties and upward there was legality; since the Three Dynasties downward there has been no legality. I say thus because the two emperors (Yao and Shun) and the three kings (Yü, T'ang, and Wen), knowing the people could not dispense with food, assigned them fields for tillage; knowing the people could not dispense with clothing, assigned them land for mulberry and hemp plantations, knowing the people could not dispense with morals, built schools for them, taught them the ceremony of marriage so as to prevent disorder, and imposed upon them taxes and military service so as to prevent rebellion. Such were the laws during the Three Dynasties and upward, which never rested upon any personal self-interest at all.

[1] 大義 [2] Op. cit. [3] Ibid.
[4] "The Originality of Legality" (原法), op. cit. (my trans.).

On the contrary, rulers in posterity, after having acquired the Empire, and fearing lest their descendants might not be able to preserve imperial sway, established so many laws which were in reality nothing but the laws of a single family and not the laws of the whole Empire. For instance, the Ch'in dynasty established laws for the abolishment of feudalism; the Han dynasty promulgated new laws for the distribution of feuds among the royal seed; and the Sung dynasty elaborated still newer laws for the suppression and elimination of militarism. But all such laws are not "legal laws". "Legal laws"[1] are based on public utility and general opinion, "illegal laws"[2] on private expediency and personal ambition.

The governor, before he starts to regulate the people by laws, must regulate laws beforehand. It is only after there have been "regulating laws" that there can be "regulators."[3] He who binds the people with "illegal laws" cannot help always fearing lest that illegality should be superseded by legality, and still further by morality. The supreme authority back of legality is the moral sense inherent in every individual. Thus, Huang Li-chou not only justified the right of revolution on both moral and legal bases, but also subordinated legality to morality.

D THE BIOLOGICAL APPROACH TO THE PROBLEM OF RIGHT AGAINST MIGHT—SUN YAT-SEN

Self-determining Nationalism versus Territory-hungry Imperialism.—Huang Li-chou had sowed the seed, Sun Yat-sen (1866–1925) reaped the fruit. The former, who witnessed the Manchus coming up to the Chinese throne, attempted to resist the "barbarian invaders" but failed. The latter succeeded in revolting against the Manchus and caused the last "barbarian monarch" to be driven out from the Chinese throne. It was by Sun Yat-sen that the Chinese Republic was founded, and it was in his social teachings and political principles that Eastern and Western ideas first met in a very harmonious and interesting way.

[1] 有法之法 [2] 非法之法 [3] Op. cit.
[4] 公理. [5] 眞理.

Not only in his life and work, but also in his system of thought, Sun Yat-sên expounded a series of struggles between Right and Might: a long fight between nationalism and imperialism, true and false cosmopolitanism, moralism and despotism, culturalism and obscurantism. Born of a humble peasant family in a little village near Hsiangshan in the province of Kwangtung, one of the frontier provinces in South China where there had been much close contact with foreigners, Sun Yat-sên received in his early boyhood a thorough training in Chinese Classics at the village school. He went to Honolulu, Hawaii, when about thirteen years old, and there he completed his high school course. In both Queen's College, Hongkong, and the Hongkong Medical College, which he attended after he returned to China, he acquired solid knowledge of Western science, and finished his medical training in 1892. With profound interest in the biological and medical sciences, he started his career as a medical doctor, but grew only to become a social physician to the Chinese people and a social scientist of rare scholarly attainments.

It was from the year 1885, that is, from the time of the defeat in the war of China with France, that he made up his mind firmly to overthrow the Manchu dynasty and found a Chinese Republic in its place. The first attempt at revolt which he had plotted during the Sino-Japanese War (1894–95) was suppressed by the local Manchu government in Canton in September, 1895. Following this failure, he took a long trip abroad, enlisting Chinese enthusiasts resident or studying in Japan, America, and Europe. In addition to the two Principles of Nationalism and Democracy which he had elaborated long before, he formulated the third principle—the Principle of Livelihood—while spending in Europe the next few years in the study of the political and economic institutions of the countries he visited. After a link of trials and errors in causing a wholesale national revolt against the Manchus, Sun Yat-sên and his comrades succeeded in founding a republic government under his presidency in Nanking on the New Year's Day of 1912. The Chinese Revolution for him was not simply a struggle with the Manchu régime, but a process of national reconstruction with one end in view, " the elevation of China to a position of freedom and equality

among the nations." Like many a pioneer, he died before his cherished hope was completely realized, only leaving his comrades from his death-bed with his unaccomplished will to be carried out as follows [1] :—

> For forty years I have devoted myself to the cause of the people's revolution with but one end in view, the elevation of China to a position of freedom and equality among the nations. My experiences during these forty years have firmly convinced me that to attain this goal we must bring about a thorough awakening of our own people and ally ourselves with those peoples of the world who treat us on the basis of equality, and co-operate in a common struggle.
>
> The work of the Revolution is not yet done. Let all our comrades follow my "Plans for National Reconstruction", "Fundamentals of National Reconstruction", "Three Principles of the People", and the "Manifesto" issued by the First National Convention of our Party, and strive on earnestly for their consummation. Above all, our recent declarations in favour of the convocation of a National Convention and the abolition of unequal treaties should be carried into effect with the least possible delay. This is my heartfelt charge to you.

His will thus concisely sums up his life work as well as its end and motive

His doctrine of Right against Might is clearly set forth in his *Three Principles of the People*,[2] and particularly in his *Principle of Nationalism*. To this problem of Right against Might—say, of morality against legality—he took the biological approach which was the natural outcome of his intellectual background and personal career. Therefore, in his *Plans for National Reconstruction*[3] (1918), he started from his irresistible argument that, biologically speaking, knowledge follows action, and is therefore difficult while action is easy The law of evolution underlies the world-history of mankind. The principles of heredity, adaptation, natural selection, struggle for existence, and such, always work in human organisms as well as in other creatures In the light of these biological principles, the present-day Chinese are in a very perilous position because of three destructive forces—growth of other populations; alien, political, and economic domination.[4] If the Chinese

[1] Adopted from F. W. Price's translation with slight variations.
[2] The Nationalism, Democracy, and Livelihood of the People
[3] The three plans for national reconstruction are *Psychological Reconstruction*, *Material Reconstruction*, and *Social Reconstruction*
[4] *Principle of Nationalism*, Lecture 6, p. 72.

people expect to survive at all, they must struggle for existence at all hazards. In their struggle for existence the successful solution of three pressing problems is of the most urgent need.

There is first of all the population problem. In other countries, population has been very rapidly increasing in the past century, but not so in China. To preserve the race increase of population is needed. The second is the problem of political domination. During the past century the diplomatic history of the Chinese has been but a record of reparations, territorial cessions, and conclusions of unequal treaties with the Powers on account of her own incompetent political and economic forces. "After the Chinese Revolution, the Powers realized that it would be exceedingly difficult to dismember China by political force. A China which had learned how to revolt against the control of the Manchus would be sure some day to oppose the political control of the Powers."[1] Therefore, they are using economic pressure as the main weapon to keep the Chinese down; and worse than this, their imperialistic capitalism and militarism are working hand in hand to forward their greedy exploitation plans in China. Therefrom follows the rise of the problem of economic domination, which is more menacing than the other two problems. The treaty Powers have for tens of years controlled the maritime customs in China and exploited Chinese efficient labour and rich natural resources by establishing banks, mills, factories, corporations, and so on, with the immediate result that the country is reduced to the status of a "hypo-colony"—a colony of the Powers—worse than that of a colony of a single Power.

Amid all such threatening forces, are the Chinese fit to survive in the struggle for existence at all? In response to this question Sun Yat-sên held that they have been anyway able to resist natural forces[2]:—

> From ancient times, the increase and the decrease of population has played a large part in the rise and fall of nations. This is due to natural selection. Since mankind often has not been able to resist the forces of natural selection, many ancient and famous nations have disappeared without leaving a trace. Our Chinese nation is one also of great antiquity, with four thousand years of authentic history, and so at least five or six

[1] Op. cit., Lecture 2, p. 39. [2] Ibid., p. 39.

> thousand years of actual existence. Although during this time we have been profoundly affected by natural forces, yet Nature has not only perpetuated the race but has made us extremely prolific.

However, it is wrong to believe that just because the Chinese have been able to survive innumerable disasters in the past, they cannot perish in the future, come what may. "If it were a matter merely of natural selection, our nation might survive; but evolution on this earth depends not alone on natural forces, it depends on a combination of natural and human forces."[1] Of all man-made forces the most important are political forces and economic forces which work more rapidly than the forces of natural selection and can more easily extirpate a great race. "China, if she were affected only by natural selection, might hold together another century; but if she is to be crushed by political and economic power, she will hardly last ten years. . . . From now on the Chinese people will be feeling the pressure of natural, political, and economic forces."[2]

The existence of China has for decades been due to the balance of power among the imperialists. That has been the lucky chance China has had, and yet she cannot count on that chance. To struggle for existence, the Chinese must find their own way through all kinds of obstacles. "Heaven helps those who help themselves." The Chinese must therefore "determine themselves" to sustain their own existence. Thus, Dr. Sun says[3]:—

> We can overcome the forces of natural selection. Heaven's preservation of our four hundred millions of Chinese till now shows that it has not wanted to destroy us; if China perishes, the guilt will be on our own heads and we shall be the world's greatest sinners. Heaven has placed great responsibility upon us Chinese; if we do not love ourselves, we are rebels against Heaven. China has come to the time when each one of us has a great responsibility to shoulder. If Heaven does not want to eliminate us, it eventually wants to further the world's progress. If China perishes, she will perish at the hands of the Great Powers; those Powers will thus be obstructing the world's progress.

To the Chinese the struggle for existence from now on does not so much mean a fight of mankind against natural forces as a fight of "self-determining" nationalists against

[1] Op. cit., p. 80. [2] Ibid., p. 82.
[3] Ibid., Lecture 6, pp. 75–6.

the political and economic forces of "territory-hungry" and "gold-digging" imperialists.

No imperialist would allow the chance of self-determination to others. For imperialism is essentially "the policy of aggression upon other countries by means of political force".[1] The European War was a direct issue of conflicts in interest among the mutually jealous imperialists. During the war the beautiful phrase, "self-determination of peoples" was broadcast by President Wilson of the United States and was warmly received everywhere. "Because Germany was striving by military force to crush the peoples of the European Entente, Wilson proposed destroying Germany's power and giving autonomy henceforth to the weaker and smaller peoples."[2] Hearing him say the war against Germany was for the liberation of the weak and small peoples, peoples of India, Annam, Poland, Czecho-Slovakia, etc., gladly gave aid to the Allies. The most important among Wilson's fourteen points was that each people should have the right of self-determination. The result of the Peace Conference, however, betrayed all the hopes long-cherished by the weaker, smaller nations[3]:—

> When victory and defeat still hung in the balance, England and France heartily endorsed these points, but when victory was won and the Peace Conference was opened, England, France, and Italy realized that Wilson's proposal of freedom for nations conducted too seriously with the interests of imperialism; so, during the conference, they used all kinds of methods to explain away Wilson's principles. The result was a peace treaty with most unjust terms; the weaker, smaller nations not only did not secure self-determination and freedom, but found themselves under an oppression more terrible than before.

After the Peace Conference adjourned, those oppressed peoples yearning after self-determination saw "how completely they had been deceived by the Great Powers' advocacy of self-determination and began independently and separately to carry out the principle of 'self-determination of peoples'."[4]

To the disappointment of the twelve hundred and fifty million oppressed peoples in the world, the effect of the Great War was merely the overthrow of one imperialism

[1] Op. cit., Lecture 4, p. 79
[2] Ibid., p. 82
[3] Ibid., p. 83.
[4] Ibid., p. 84

by another; what survived was still imperialism. "Many years of fierce warfare had not been able to destroy imperialism because this war was a conflict of imperialisms between states, not a struggle between savagery and civilization or between Might and Right."[3] What will be the next great war? In answer to this question, Sun Yat-sên says[4]:—

> As I study forces in history and foresee the tendencies of the future, I am convinced that there will be more international conflicts. But these will not arise between two different races; the wars will be within races. The white races will divide and the yellow races will divide into a class war of the oppressed against tyrants, of Right against Might.

The war of the future will be between Might and Right, between brutal legality and humane morality. "Throughout the world, white and yellow defenders of Right will unite against white and yellow defenders of Might."[5] Thus, the Germans—once advocates of Might while they were oppressing others—nowadays naturally side with the champions of Right. Moreover, while the Great War was going on, there broke out the Russian Revolution with Nicolas Lenin as leader advocating self-determination for the oppressed peoples and launching a campaign for them against injustice.

The international conflict in the future will naturally be between nationalism and imperialism. Because on the part of the Chinese, for instance, they will resist a foreign power in two ways. Positively, they will arouse a national spirit, seeking solutions for the problems of democracy and livelihood; negatively, they will advocate non-co-operation and passive resistance in order that foreign imperialistic activity may be thereby weakened, the national standing of China defended, and national destruction averted.[6]

Upon the revival of nationalism the future prosperity of the Chinese nation rests more than upon anything else. For nationalism is "that precious possession by which humanity maintains its existence".[7] It is the doctrine of "national clan-ism"[8] that a single state must be formed

[3] Op. cit.
[4] Ibid., p. 20.
[5] Ibid., Lecture 6, p. 70.
[6] Ibid., Lecture, p. 118.
[7] Ibid., Lecture 6, p. 121.
[8] 國族主義.

out of a single race. "A group united and developed in the way of Right, by forces of nature, is a race; a group united and developed by the way of Might, by human forces, is a state. This, then, is the difference between a race or nationality and a state."[1] A state like China developed out of a single race, is due to natural forces including common blood, livelihood, language, religion, custom, and habit—which are products not of military occupation, but of natural evolution. The way it develops is "the way of Right".[2] Contrary to this, a state like the Powers composed of different races and nationalities is due to armed force. Its way is "the way of Might".[3] The former stands for self-determining nationalism; the latter for territory-hungry imperialism. Their difference forms the battlefield of Might and Right.

The Principle of Nationalism is the primary one among the Three Principles of the People which, as Dr. Sun believes, will elevate China to an equal position among the nations, in international affairs, in government, and in economic life. A principle, according to him, is "an idea, a faith, and a power".[4] "When men begin to study into the heart of a problem," he affirms, "an idea generally develops first; as the idea becomes clearer, a faith arises; and out of the faith a power is born. So, a principle must begin with an idea, the idea must produce a faith, and the faith in turn must give birth to power, before the principle can be perfectly established."[5]

The Principle of Nationalism as well as the rest was born of Dr. Sun's problem-solving effort. The fundamental way to save China from her imminent ruin is for the Chinese first to attain national unity. The primary step is the revival of nationalism by awakening the multitudes to see the present-day perilous position—alien, political, and economic domination and the more rapid growth of population among the Powers; and by utilizing the deep-rooted family and clan sentiment of the Chinese, their "native-place" fellow-feeling, and of their ancestor-reverence. It is possible that loyalty to the family can be extended through clan and local loyalty to national loyalty.

[1] Op. cit., Lecture 1, p. 6. [2] 王道 [3] 霸道
[4] Ibid., Lecture 1, p. 5. [5] Ibid., pp. 3–4.

Real Cosmopolitanism versus Disguised Imperialism.—On the way to the revival of nationalism there always lies a great obstacle, and that is "disguised imperialism"—imperialism under the disguise of cosmopolitanism. Reputed as "a sheet of loose sand", the Chinese people have lost the spirit of nationalism on account of two factors—subjection to alien rule and "disguised imperialism". No sooner had the Manchus usurped the Chinese throne than they began to trap all the intelligentsia into governmental service under strict supervision, and on the other hand they proclaimed "cosmopolitanism". To abate the resentment on the part of the Chinese, the Manchu rulers attempted to convince them that "the Chinese should not oppose Manchu rule on the ground that Shun was an eastern 'barbarian' and King Wên a western 'barbarian', and so the Manchus, although they were 'barbarian', might also be emperors of China".[1] Up to the eve of the Chinese Revolution in 1911, the fact that many a Chinese pro-monarchist had argued in favour of the "virtuous Manchu rulers", evidences the loss of Chinese nationalism. Chinese nationalism, however, did not entirely die out. The Ming veterans, who realized that their way was over, looked out upon society and conceived a plan to organize secret revolutionary societies. Unable to depend upon the literati to keep alive the national spirit, they turned to the lower strata of society. It was by these secret societies that the national spirit was verbally transmitted. They actually contributed a great deal to the recent revolutionary movement.

Modern young advocates of "new culture" in China with a half-baked understanding of it supported "cosmopolitanism" in opposition to nationalism which they condemned as narrow and illiberal. This trend of thought Sun Yat-sen regarded as a curse to the revival of Chinese nationalism. So he says[2]:—

> Cosmopolitanism is the same thing as China's theory of world empire two thousand years ago. When we study this theory, do we find it good or not? Theoretically, we might call it a good theory, yet because the intellectual class in China held it, the Manchus were able to cross China's frontiers and the whole nation was lost to them. K'ang Hsi (second Manchu emperor,

[1] Op. cit., Lecture 3, p. 60.
[2] Ibid., Lecture 3, pp. 68–9.

1662–1722) talked cosmopolitanism, saying that Shun was an eastern "barbarian", King Wen a western "barbarian", and since the barbarians of east and west could become emperors of China, there is no distinction between barbarian and celestial—this is cosmopolitanism!

One thing peculiar to the world-history is that those nations conquering others by means of imperialism and trying to maintain their own favoured positions as sovereign lords of the whole world do advocate "cosmopolitanism" and want the wronged peoples to join them. In recent decades, "cosmopolitanism" has developed in the West only to camouflage imperialism. "Before Germany was hemmed in," said Sun Yat-sên, "she talked not of nationalism, but a world state—cosmopolitanism. I suspect that Germany to-day is ceasing to preach cosmopolitanism and is talking nationalism a bit!"[1] The remaining Powers victorious in the Great War sing praises to "cosmopolitanism," saying that nationalism is too narrow, simply because they want to continue oppressing the weaker, smaller peoples; "really their espousal of internationalism is but imperialism and aggression in another guise."[2]

"Now we want to revive China's lost nationalism," said Sun Yat-sên, "and use the strength of our four hundred millions to fight for mankind against injustice; this is our divine mission. The Powers are afraid that we will have such thoughts and are setting forth a specious doctrine."[3] Therefore they are now preaching cosmopolitanism to counteract the revival of Chinese nationalism. But in reality their cosmopolitanism is simply "disguised imperialism". To discard nationalism and talk cosmopolitanism is to put the cart before the horse, be that cosmopolitanism a real one. "We cannot decide," said Dr. Sun, "whether an idea is good or not without seeing it in practice. If the idea is of practical value to us and to the world, it is good; if the idea is impractical, it is no good."[4] Even though real cosmopolitanism may be practical, at present it is not so to the Chinese. Therefore he says[5]:—

> . . . it is not a doctrine which wronged races should talk about. We, the wronged races, must first recover our position

[1] Op. cit., p. 75. [2] Ibid., pp. 83–4. [3] Ibid., pp. 85–9
[4] Ibid., Lecture 3, p. 69. [5] Ibid., Lecture 4, p. 89.

> of national freedom and equality before we are fit to discuss cosmopolitanism. . . . We must understand that cosmopolitanism grows out of nationalism; if we want to extend cosmopolitanism, we must first establish strongly our own nationalism. If nationalism cannot become strong, cosmopolitanism certainly cannot prosper.

From this point of view, we can defend and build the true spirit of cosmopolitanism only upon the solid foundation of nationalism. To support this theory, Dr. Sun reverted to the traditional Confucian doctrine of self-cultivation as the basis of group-pacification, repeatedly quoting passages from Confucian classics. Thus, he said, "As a foundation is essential to expansion, so we must talk nationalism first if we want to talk cosmopolitanism. 'Those desiring to pacify the world must first govern their own state.'[1] Let us revive our lost nationalism and make it shine with greater splendour, then we will have some ground for discussing internationalism."[2]

Moralism versus Despotism.—When China becomes as strong as any of the present Powers, it is imperative that the Chinese guard against "territory-hungry" imperialism the Powers have been accused of. In the course of evolution, the fittest that survive is not necessarily the strongest, but the most adaptable—adaptable to Nature. In the modern world the Powers, while oppressing the majority of the world peoples, are moving not in harmony with but in defiance of Nature. Therefore, Dr. Sun says[3]:—

> If we want to resist Might we must unite our four hundred millions and join the twelve hundred fifty millions of the world. We must espouse nationalism and in the first instance attain our own unity, then we can consider others and help the weaker, smaller peoples to unite in a common struggle against the two hundred fifty millions. Together we shall use Right to fight Might, and when Might is overthrown and the selfishly ambitious have disappeared, then we may talk about cosmopolitanism.

Present-day European "cosmopolitanism" is really a principle supported by force without justice. "The English expression: 'Might is Right,'" said Sun Yat-sen, "means that fighting for acquisition is just. The Chinese mind has

[1] v. "The Text of Confucius": *The Great Learning*, 4
[2] Op. cit., pp. 99–100.
[3] *Principle of Nationalism*, Lecture 3, p. 76.

never regarded acquisition by war as right; it considers aggressive warfare barbarous. This pacifist morality is the true spirit of cosmopolitanism." [1] In a word, the Chinese must permanently practise moralism not only among themselves, but also towards other peoples.

If any people is to maintain a permanent standing, moral character is essential. It is only by attaining a high standard of morality that they can hope to govern long and exist at peace [2]:—

> Because the moral character of the Chinese was higher than that of other races, the Mongols, although they once conquered China during the Sung dynasty, were later absorbed by the Chinese; and the Manchus, although China of the Ming dynasty fell before them, were assimilated by the Chinese. Because of the high moral standards of our race, we have been able not only to survive in spite of the downfall of the state, but we have had power to assimilate these outside races.

In the long run, Might is no match for Right, brutal legality has to succumb to humane morality. The Mongols and Manchus temporarily conquered the Chinese with arms and laws, only to be in turn permanently conquered by the conquered Chinese with cultural creeds and moral precepts. So, coming to the root of the matter, if the Chinese from now on want to restore their race's standing, beside uniting all of themselves into a great national body, they must first recover their ancient morality [3] "But since our domination by alien races and since the invasion of foreign culture which has spread its influence all over China," continues Dr Sun, "a group intoxicated with the new culture have begun to reject the old morality, saying that the former makes the latter unnecessary. They do not understand that we ought to preserve what is good in our past and throw away only the bad." [4]

Sun Yat-sen is to scientific modernity as Confucius was to classic antiquity. To the way of the ancient kings, the latter looked for adequate means of social control; to the moral creeds of the past sages, the former looked for the right way to salvation and supremacy. Among China's old morals, Dr. Sun enumerates eight—this is, four pairs—loyalty and filial piety, benevolence and love, faithfulness

[1] Op. cit., Lecture 4, p. 89.
[2] Ibid., pp. 124–5.
[3] Ibid., Lecture 6, p. 125.
[4] Ibid., p. 128.

(or truthfulness) and righteousness, and harmony and peace—which, according to him, are not lost sight of by the people of China because the Chinese still speak of these ancient qualities of character.[1]

Filial piety and loyalty always work hand in hand. Devotion to the father and to the ruler rests upon a common basis. Nevertheless, it is wrong to argue that because the Chinese nowadays have a republic, they need not talk about loyalty. "We do not want princes in the country," declares Dr. Sun, "but we cannot do without loyalty."[2] We can direct our loyalty towards our nation, our people, and our tasks. "Loyalty to four hundred millions must naturally be on a much higher level than loyalty to one individual; so I say," affirms Dr. Sun, "that the fine moral quality of loyalty must still be cherished."[3]

Filial piety is even more characteristic of the Chinese than loyalty. They have, indeed, gone far beyond other peoples in the practice of it. Revealed in the "Canon of Filial Piety", it "covers almost the whole field of human activity, touching every point; there is no treatise on filial piety in any civilized country to-day that is so complete".[4] In social life it is the root of all moral qualities. "If the people of the democracy can carry out loyalty and filial piety to the limit," affirms Dr. Sun, "our state will naturally flourish."[5]

Next, come benevolence and love which also form part of China's high moral code. In the past China, no one talked and practised love better than Mo Tzŭ did. His "impartial love", according to Dr. Sun, is the same thing as Jesus' "universal love".[6] With such sayings: "Love the people as your children," and "Be benevolent to all the people and love all creatures", as mottos, the ancients applied these to government and put them into effect. To practise these morals, Western Christians have established schools, carried on hospitals, and undertaken charity work. These up-to-date practical methods the Chinese must learn while reviving their own benevolence and love and making them shine with greater glory.[7]

As regards faithfulness, Dr. Sun holds that "the virtue of faithfulness is better practised by Chinese than by

[1] Op. cit. [2] Ibid. [3] Ibid., p. 128. [4] Ibid.
[5] Ibid. [6] Ibid. [7] Ibid., p. 129.

foreigners".[1] To prove this, he brought out a concrete evidence from business intercourse. "The Chinese people in their business relations do not use written contracts; all that is necessary is a verbal promise which is implicitly trusted."[2] Traditionally, to the Chinese an oral contract is as binding as a written one upon the contracting parties. There have been more than one case in which you find foreigners taking advantage of this traditional moral practice of the Chinese people. Nevertheless, conscientious foreigners who "have done business for a long time in the interior of China invariably speak highly of the Chinese, saying that a Chinese will keep his word better than a foreigner his contract".[3]

Righteousness has been the underlying basis of the international relationships of China to other countries. It is on account of the popular practice of this virtue that the Chinese have always allowed ample chance for self-determination to any smaller and weaker people. Look at Korea, for instance. Formerly she was a tributary of China in name, but an independent nation in reality, and had been still independent up to the year 1910 when she lost her freedom to Japan. In the Treaty of Shimonoseki concluded upon the close of the Sino-Japanese War (1894–1895), Japan proposed and demanded the complete independence of Korea upon China, and fifteen years later she annexed Korea to her island empire. "China was a strong state for thousands of years and Korea lived on"; affirms Dr. Sun, "Japan has been a strong state for not over twenty years and Korea is destroyed. From this one can see Japan's sense of 'faithfulness and righteousness' is inferior to China's, and that China's morals have advanced beyond those of other nations."[4] Breaking the Treaty of Shimonoseki was illegal, ruining the State of Korea was immoral.

Finally, the Chinese have had one more splendid virtue—the love of harmony and peace. Of old the Chinese were imperialistic, too. But their imperialism was not military and oppressive, but cultural and instructive, so that all the surrounding small states regarded it as a great honour to bring tribute to China and to adopt Chinese culture,

[1] Op. cit. [2] Ibid. [3] Ibid., p. 180. [4] Ibid., p. 183.

giving voluntary adherence because of their admiration of Chinese culture and not because of military pressure from China. As early as the period of the warring states, Chinese sages already discouraged war, and in the Han dynasty pacifism towards outsiders was advocated. This moralistic peace-loving spirit has fully permeated the social sentiment of the Chinese people ever since

Culturalism versus Obscurantism.—Besides ancient morals, the Chinese must revive their classical learning. "Since our subjugation by the Manchus," says Dr. Sun, "our four hundred millions have been asleep, our ancient morals have been asleep, our ancient learning has been asleep as well. If we want to regain our national spirit we must reawaken the learning as well as the moral ideas which we once possessed."[1] Traditionally characteristic of the Chinese masses is their natural reverence for scholars—for promoters of culture. To say nothing of their spontaneous willingness to follow the leadership of intellectuals. Thus, even the illiterate and ignorant multitudes are not obscurantists—nay, they are all lovers of culture, of learning!

As regards the ancient learning of the Chinese people, Dr. Sun particularly dwells upon their political philosophy. Thus, in the following passage he says[2]:—

> We think that the states of Europe and America have made great strides forward in recent years, yet their new culture is not so complete as our old political philosophy. China has a specimen of political philosophy so systematic and so clear that nothing has been discovered or spoken by foreign statesmen to equal it. It is found in the "Great Learning", "Investigate things, extend the boundaries of knowledge, make the purpose sincere, rectify the mind, cultivate personal virtues, regulate the family, order well the state, and pacify the world." Thus calls upon a man to develop from within outward, to begin with his inner nature and not cease until the world is at peace. Such a deep, all-embracing ethical doctrine is not found in or spoken by any foreign political philosopher; it is a nugget of wisdom peculiar to China's political philosophy and worthy to be preserved.

From this standpoint we can see how typical Sun Yat-sen is of contemporary Confucianists. It was his firm conviction that Confucian moralism through cultural education must and would continue supreme among the

[1] Op. cit., pp. 136–4. [2] Ibid., p. 134.

Chinese, and that even in Confucian moralism and culturalism alone the Chinese retain their permanent pride in the history of mankind.

Over and over again, Dr. Sun recognises the supreme value of Chinese political philosophy. Such political theories as anarchism and communism which are supposed to be very modern in the West, were elaborated and even carried into practice long ago in the past China. For instance, Lao Tzŭ's political philosophy is really anarchism, which Lieh Tzŭ [1] pictured in his dream of the land of the Hua-hsü people who lived in a natural state without ruler and laws.[2] "What Russia has been putting into practice is not pure communism but Marxism; Marxism is not real communism. What Proudhon and Bakunin advocated is the only real communism. Communism in other countries is still in the stage of discussion; it has not been fully tried out anywhere. But it was applied in China in the time of Hung Hsiu-ch'üan [3]; his economic system was the real thing in communism and not mere theory." [4]

European superiority to China lies not in political philosophy but altogether in the field of material civilization.[5] In the following passage, Dr Sun clearly brings out his conception of the relative value of Eastern and Western culture [6]:—

> With the progress of European material civilization, all the daily provisions for clothing, food, housing, and communication have become extremely convenient and time-saving, and the weapons of war—poison gas and such—have become extraordinarily perfected and deadly. All these new inventions and weapons have come since the development of science. It was after the seventeenth and eighteenth centuries, when Bacon, Newton, and other great scholars advocated the use of observation, experiment, and investigation of all things, that science came into being. So when we speak of Europe's scientific progress and of the advance of European material civilization, we are talking about something which has only two hundred years' history. A few hundred years ago, Europe could not compare with China, so now if we want to learn from Europe we should learn what we ourselves lack—science—but not political philosophy.

[1] A Taoist predecessor of Chuang Tzŭ

[2] v. *Principle of Nationalism*, Lecture 4, p. 87.

[3] The name of the leader of the T'ai P'ing Rebellion (1850–64) against the Manchus.

[4] Op. cit. [5] Ibid., p. 88. [6] Ibid.

It is on account of this cultural demarcation, according to Sun Yat-sên, that many great scholars to-day in the West "are studying Chinese philosophy and even Indian Buddhist principles to supplement their partial conceptions of science".[1]

Of old the Chinese not only elaborated great learning but also revealed remarkable progress in science. Science progressed in the modern West. But some of the most valued things in the West to-day—such as the compass, the art of printing, porcelain, gunpowder, tea, silk, suspension bridges, and the like—were invented in ancient China.[2] Therefore, in addition to ancient learning, the Chinese must restore their ancient powers of science. If the present-day Chinese revive their interest in scientific researches and devote their attention to the advance of science, there is no reason why science will not progress in China from now on.

To advance China to a first place among the nations, the revival of their ancient morals, learning, and powers is not enough. The Chinese must needs learn the strong points of the West before they can progress at an equal rate with them. In this connection Dr. Sun contends with full optimism that "with our own fine foundation of knowledge and our age-long culture, with our own native intelligence besides, we should be able to acquire all the best things from abroad".[3] Since the strongest point of the West is its science, the Chinese must study science hard. Nevertheless, if they want to learn from the West, they must catch up with the advance line and not chase from behind. They ought to follow the world currents and study the up-to-date best features of Western nations. It will take them but a few years to catch up with the rest of the world. In such a great national and cultural struggle, Japan makes a good example. Within a few decades devoted to the study of European and American civilization, she has become one of the world's great powers. What Japan has done, it will be easier for China to do provided Chinese youths are willing to. It is Dr. Sun's firm belief that with time-crowned cultural history and intellectual development in the background the Chinese

[1] v. op. cit. [2] Ibid., Lecture 6, pp. 140–2 [3] Ibid., p. 143.

will learn from the West far better than the Japanese. So, he says [1]:—

> So the next ten years is a critical period for us, if we can come to life as the Japanese did and all put forth a very sincere effort to elevate the standing of our nation, within a decade we should be able to get rid of foreign political and economic control, the pressure of foreign population increase, and all the various calamities that are now upon us. Japan learned from the West for only a few decades and became one of the world's great powers. But China has ten times the population and thirty times the area of Japan, and her resources are much larger than Japan's. If China reaches the standard of Japan, she will be equal to ten great powers.

When China has the strength of ten powers, what then? In reply to such an eventual question, Dr. Sun says that China must then assume a great responsibility towards the world in fighting on the side of Right against Might by "rescuing the weak and uplifting the fallen".[2] If China cannot assume that responsibility, she will be a great disadvantage to the world—to the whole humanity. The fight between Right and Might will continue and ought to continue until imperialism is smitten whereby the weak are rescued, and the fallen uplifted. Therefore, Dr. Sun asserts [3]:—

> The road which the Great Powers are travelling to-day means the destruction of other states; if China, when she becomes strong, wants to crush other countries, copy the Powers' imperialism, and go their road, we will just be following their tracks. Let us first of all decide on our policy. Only if we "rescue the weak and lift up the fallen" will we be carrying out the divine obligation of our nation. We must aid the weaker and smaller peoples and oppose the great powers of the world. If all the people of the country will resolve upon this purpose, our nation will prosper, otherwise, there is no hope for us.

This passage represents the culminating phase of Dr. Sun's doctrine of Right against Might,[4] hanging out the signboard

[1] Op. cit., p. 146. [2] Ibid., pp. 146–7. [3] Ibid., p. 147.

[4] I regard this doctrine of Right against Might as the theme of Dr. Sun's principle of Nationalism. Further developed, it becomes the undercurrent of his *Principles of Democracy* and *Of Livelihood*. In his *Principles of Democracy*, he contends that since knowledge is hard and action easy, the masses, while retaining the four controlling powers—election, dismissal, initiative, and referendum—must leave matters of political administration to the few experts on the basis of a "quadruple-power" constitution—legislative, judicial, executive, examination, and

of the traditional cultural moralism of the Chinese before the world peoples of the twentieth century.

citizenship—by means of which they delegate their sovereignty to the government. The new system is so designed as to keep a constant balance of power between people and government. In his *Principle of Livelihood* Dr. Sun argues against the exploitation of the many by the few and in favour of the elevation of the masses' livelihood. The people must have material well-being before all law and morals: therefore, the elevation of their livelihood is of paramount importance. To realize this plan, Dr. Sun proposes two measures: (1) a fair distribution of land among the people and (2) a thorough-going supervision over the whole national economy by the government. Throughout this teaching the biological factors of mankind are thus elaborated with special stress.

CHAPTER VIII

CONCLUSION

By taking the historical approach and using the comparative method, the whole study has aimed to trace how thinkers in the West and the East have attempted to analyse the motivating factors of social conduct as judged to be either moral or legal or both. With the proposition that the individual is essentially a product of the community, and yet may by chance become a guide of it, as its undercurrent, it has also aimed to inquire into the interaction of the community and the individual with specific reference to the problem of morality against legality.

The whole study thus done can be regarded as a historical argument in favour of the proposition that the individual is essentially a product of the community, and yet may by chance become a guide of it. The various treatises in the six chapters from the second to the seventh are but the various contentions for the argument. Since all thinkers dealt with were guides of their respective ages, their analyses of the motivating factors of social conduct as judged to be either moral or legal or both, can be taken as evidences to prove the contentions

In the second chapter on the *Community versus Individual* we examined the interrelation between factors and apologists of social unity in the ancient and mediaeval West. We observed therein how the principles of motivation on the part of the community were reflected in the individual's analysis of the motivating factors of conduct, and, moreover, how different communities produced different types of mind and diverse types of theory on the same problem. The individual being essentially a product of the community, the legalistic community produces the legalistic type of theory, the moralistic community the moralistic one.

In the third chapter on the *Inner Freedom versus Outer Authority* we considered the modern revolt against mediaevalism—from Copernicus to Kant—as a revolt of

inner freedom against outer authority. The fight between conscience and constitution is not a rare occurrence. The individual, who has encountered the wide and unpavable gap between the dictates of his conscience and the dogmas of the Church or laws of the State, may regard it as his right and duty to proclaim the outer authority absurd in place of which he may propose a substitute. He is then a social physician, a leading spirit of the age. In place of the same outer authority repudiated, however, different individuals, out of their self-determining efforts, put different substitutes and lay different emphases, with the immediate result that for a period of time social turmoil and intellectual anarchy seem inevitable. Such a status is always distinctly characteristic of any revolutionary age. Nevertheless, it is always to be expected that out of all sorts of chaos a new type of social order as well as a fresh system of cultural creeds will be evolved as clearly witnessed in the modern West.

No matter how much freedom the individual might express, in the process of expressing it he is determined by his community. Because his knowledge is simply a gift of his age and he thinks in the light of what he knows. Self-determination cannot be isolated from self-reflection. All the intellectual effort the individual thinker exerts is essentially a product of his self-determination which is intimately affiliated with his knowledge and process of reflective thinking. To the same problem different individuals might take different approaches as we found in the fourth chapter on *Thought in the Light of Knowledge* seven of the most eminent post-Kantian thinkers taking seven different approaches to the analysis of the motivating factors of conduct. The unique approach of every individual represents the crowning phase of his knowledge. As an intellectual guide of his community attracting his fellow-men to his circle, he must have advanced original elements which are really the accidental crystallization of his problem-solving effort.

The individual who has been essentially a product of his community, if he by chance becomes a guide of it, will attempt to dominate over it as soon as he finds it not agreeable to his conscience. If so, the same community discharging diverse stimuli can produce different types of

mind and diverse types of theory. This was particularly true in ancient China, as we saw in the fifth chapter on the *Individual versus Community*, where different thinkers propound different and sometime even mutually incompatible means of social control. Among all the competing theories, however, only that which is most practicable to the people and is most able to meet the demands of the age will flourish and perpetuate its influence. This accounts for the reason why legalism succeeded in the frontier farming State of Ch'in and was later superseded by Confucian moralism as soon as the whole country was brought under one imperial sway.

The individual, on dominating over the community, must initiate new ideas to supersede the existing institutions through a unique technique of group control under some definite principle of motivation. "If you want to remove the existing standard of morals, you must give us a new one to which we can conform our action," his followers would so demand. Therefore, as a social physician, he will first diagnose the old social order and then propose his system of remedies for its symptoms. He will investigate what the people believe, what they hope, what they fear, or what they want. Then he will organize them together through the process of convincing, persuasion, enforcement, compulsion, inducement, or enticement. Meanwhile, if successfully done, his system of teachings becomes institutionalized as a new agency of social order. In the sixth chapter on the *Ideas versus Institutions* we enumerated six agencies of social order in the mediaeval East, which make sufficient evidence to prove our contention in this respect.

In the interaction of the individual and the community, since response interprets stimulus and in turn is moulded by it, the individual takes his point of view through his unique frame of mind. Through the same frame of mind different individuals will take similar viewpoints of a common aim; but if each one's frame of mind is deeply tinged with the knowledge and experience peculiar to him, he will take a unique route to that goal. Thus, we observed in the seventh chapter on the *Points of View through Frames of Mind* that, intellectually, modern Chinese thinkers as represented by Chu Hsi, Wang Yang-ming, Huang Li-chou, and Sun Yat-sen had the same aim in view, namely, the synthetic reconstruction of different channels of thought,

and that, socially, they had the same frame of mind to create a system of teachings in order that the social order and cultural unity of the Chinese people might be thereby consolidated. To the same goal they took different routes; to the same problem, different approaches. In consequence, they got different results, each reflecting a special phase of the interaction of the individual and the community in his age.

Thus, we have demonstrated the hypothetical proposition that an individual, who has been essentially a product of the community, can become a guide of it if in his reaction upon it he by chance advance original elements to form new steps in the course of cultural development and social evolution. As to the side issue: What are the factors of progress then? All factors of progress can be subsumed under "chance", by which we mean the accidental meeting of unrelated factors. In its natural form chance happens as "contingency", in its personal form as "self-determination", and in its social form "opportunity". Birth is chance, health is chance, wealth is chance, education is chance, invention is chance, discovery is chance, illness is chance, and death is chance. In short, the whole life is chance. All artificial efforts are merely products of chance, of self-determination in particular. But chance is not always contributory to life as in the case of happy marriage. It may be detrimental to life when it occurs as an auto-accident. It is not to be predicted, but can be expected: it cannot be so much counted on as waited for. Whenever any contributory chance happens, it only remains to see if that chance will be missed or seized. Whenever any contributory chance is seized, it remains to see if it will be used or abused. It is only when chance is made the best use of that success and progress can be accomplished.

The modern revolt against mediaevalism in the West was chance. The discovery of lost classics was chance, the introduction of Arabic science and philosophy into Western Europe was chance. Out of chance combination of Arabic algebra and European geometry Descartes initiated analytic geometry by chance. It was such a continuous link of great guides of the community ranging from Copernicus on to Kant that the modern West has owed its success and

progress. The West once learned from the East, and the East is learning what the West has discovered and invented. The accidental meeting of Eastern and Western cultures in the modern East will probably not be missed by the Chinese, Hindus, Japanese, Persians, and so forth. The success and progress of any nation in the future East will be accomplished only if the intellectual guides of that community can make the best use of this rare chance.

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INDEX OF NAMES

Abraham, 26, 29
Adam, 26, 46, 53, 211
Æschylus, 9
Ai of Lu, Duke, (魯 哀 公), 165, 167
Alexander V, Pope, 44
Alexander the Great, 6, 15
Althusius, Johannes, 49–50
Amaterasu (天 照), 211
Amos, 28
Anselm, 39
Aquinas, Thomas, *see* Thomas Aquinas
Arida Hajime, 244
Aristotle, 10, 15–19, 20, 25, 40, 45, 49, 74, 175
Aristophanes, 9
Asoka, King, 238.
Augustine, St., 37–8, 40, 47
Augustus Cæsar, 23, 42

Bacon, Francis, 45
Baumgarten, 71
Bentham, 88, 119–129, 130, 131, 132, 133, 134, 135, 138
Berkeley, 71
Bimbisara, King, 250
Bodin, 48–49, 50, 52
Boniface VIII, Pope, 44
Blackstone, William, 120 f.
Bruno, 45
Buddha, *see* Gautama Buddha

Calvin, 48
Cato, 22
Chang Hêng (張 衡), 228
Chang Liang (張 良), 215, 216, 225, 228
Chang Lu (張 魯), 226
Chang Sheng (張 昇), 228
Chang Tao-ling (張 道 陵), 224, 228, 229
Chang Tsai (張 載), 258, 259, 264
Chang Yi (張 儀), 153, 154, 168
Ch'ang (昌), Earl of the West, *see* Wên, King
Chao K'uang-yin (趙 匡 胤), *see* Sung T'ai Tsu
Charlemagne the Great, 39, 290
Charles I, of England, 52, 55
Charles II, of England, 59
Ch'ên P'ing (陳 平), 216
Ch'ên T'uan (陳 摶), 257
Ch'êng, King, of Chou (周 成 王), 150
Ch'êng Hao (程 顥), 258, 259
Ch'êng Hsiang (程 詳), 258
Ch'êng Yi (程 頤), 258, 259, 262, 263
Chi (稷), son of Yu, 148
Chi K'ang (嵇 康), 227 f.
Ch'i (夔), Shun's minister of music, 149
Chia Yi (賈 誼), 216, 218
Chieh (桀), 149, 172, 175, 179, 277, 278
Ch'ien, Prince, (公 子 虔), 169
Ch'ih Yu (蚩 尤), 144
Ch'in Tsung, Sung, (宋 欽 宗), 250
Chung Chuan (鍾 傳), 198
Chung Li, Han, (漢 鍾 離), 218
Chou, Duke of, (周 公), 150, 156, 157
Chou Tun-yi (周 敦 頤), 257, 258, 259
Chow (紂), 149, 172, 175, 179, 277, 278
Christ, *see* Jesus
Chu Hsi (朱 熹), 254, 255, 256, 259–267, 269, 270, 276, 300
Chu Sung (宋 朱), 259
Chuang, King, of Ch'u, (楚 莊 王), 152

Chuang Tzŭ (莊 子), 179, 186, 187, 224, 275, 294
Chung Fang (仲 方), 257
Chung Kung (仲 弓), 160
Cicero, 20, 22, 24–5, 40, 46
Clement V, Pope, 44
Clotilde de Vaux, 117
Comte, 85, 110–18, 130, 135
Confucius (孔 夫 子), 140, 141, 143, 145, 151, 152, 156–167, 168, 169, 170, 171, 173, 174, 180, 181, 191, 193, 211, 214, 217, 218, 221, 255, 275, 290, 300
Constantine the Great, 36, 39
Copernicus, 45, 296, 301
Cromwell, Oliver, 52, 55
Cumberland, Richard, 119

Dante Alighieri, 41–2, 43, 45
Darwin, Charles, 136
David, King of Israel, 27, 29, 150
Democritus, 20, 104 f.
Descartes, 45, 50, 71, 258, 301
Dionysius II, King of Syracuse, 16

Earthly Sovereign (地 皇), 142
Elijah, 26
Elisha, 29
Engels, Frederick, 104, 105, 109 f.
Epicurus, 20–1, 22, 104 f., 120, 131, 167
Eve, 26, 48, 211
Ezekiel, 29

Fa (發), son of King Wên, see Wu, King
Fan Ch'ih (樊 遲), 160
Fan K'uai (樊 噲), 215, 216
Fan Tsêng (范 曾), 154
Feuerbach, Ludwig, 103, 109
Fichte, 87, 88–94, 100, 106, 109
Filmer, Sir Robert, 58, 60
Fire-borer (鑽 人), 143
Fourier, 109
Fu Hsi (伏 羲), 143–4
Fu Hsüan (傅 玄), 227
Fu Shêng (伏 勝), 218
Fu Su (扶 蘇), 214

Galileo, 45
Gautama Buddha, 211, 225, 232 f., 237, 240–259
Goethe, 1
Grotius, Hugo, 50–1, 55
Gregory VII, Pope, 39

Han Fei Tzŭ (韓 非 子), 180, 212
Harrington, James, 52
Heavenly Sovereign (天 皇), 142
Hegel, 88, 92 f., 94–102, 103, 104 f., 105, 106, 108, 109, 136
Henry IV, Holy Roman Emperor, 38
Hobbes, 43, 51–8, 57, 58, 59, 60, 62, 71, 82, 83, 119, 175, 178, 201
Homer, 9
Horace, 23
Hosea, 28
Hsiang, Duke, of Ch'in, (秦 襄 公), 151
Hsiang, King, of Ch'in, (秦 襄 王), 154
Hsiang, Duke, of Sung, (宋 襄 公), 152
Hsiang Chi (項 羽), 214, 216
Hsiang Hsiu (向 秀), 227 f.
Hsiao, Duke, of Ch'in, (秦 孝 公), 153, 198, 202, 206
Hsiao Tsung, Sung, (宋 孝 宗), 256
Hsien Ti, Han, (漢 獻 帝), 223
Hsüan, King, of Ch'i, (齊 宣 王), 168, 172, 173

Hsün Ch'ing (荀 卿), see Hsün Tzŭ
Hsün Tzŭ (荀 子), 141, 143, 174–90, 197, 212, 220
Hu Hsien (胡 憲), 259, 262
Huai Nan Tzŭ (淮 南 子), 225
Huan, Duke, of Ch'i, (齊 桓 公), 152, 153, 157, 188
Huan Ti, Han, (漢 桓 帝), 226, 235
Huang Ch'ao (黃 巢), 255
Huang Li-chou (黃 梨 洲), 254, 274–9, 300
Huang Ti (黃 帝), 144–5
Huang Tsung-hsi (黃 宗 羲), see Huang Li-chou
Hui, King, of Ch'in, (秦 惠 王), 154
Hui, King, of Liang-wei, (梁 惠 王), 168, 171, 173, 198, 208
Hui Tsung, Sung, (宋 徽 宗), 256
Hui Ti, Han, (漢 惠 帝), 218
Human Sovereign (人 皇), 142
Hume, 68, 64, 68, 71, 120, 126
Hung Hsiu-ch'uan (洪 秀 全), 294
Huss, 44, 45
Hutcheson, 68

I Tsung, Ming, (明 毅 宗), 274
Isaac, 26
Isaiah, 28
Iyemitsu, Tokugawa, (德 川 家 光), 274
Izanagi (伊 弉 諾), 211
Izanami (伊 弉 冉), 211

Jacob, 26
James II, King, of England, 59
Jen Tsung, Sung, (宋 仁 宗), 255
Jeremiah, 29
Jesus, 8, 30–6, 47, 54, 55, 131, 191, 237, 240, 291
Jimmu, Emperor, of Japan, (神 武), 211
John, King, of England, 52
John the Baptist, 30
John XII, Pope, 39 f.
Joshua, 27
Justinian the Great, 24

Kan Lung (甘 龍), 198
K'ang-hsi, Ch'ing, (清 康 熙), 275, 287
K'ang, King, of Chou, (周 康 王), 150
K'ang Yu-wei (康 有 爲), 165 f.
Kant, 43, 50, 51, 70–96, 97, 98, 99, 100 101, 106, 124, 125, 127, 128, 129, 265, 298, 301
Kao Ti, Han, (漢 高 帝), 214, 215, 216, 217, 225
Kao Tsung, Sung, (宋 高 宗), 256
Kao Tzŭ (告 子), 186–9
Kao Yao (皐 陶), 147, 148
Ko Hung (葛 洪), see Pao P'u Tzŭ
K'ou Ch'ien-chih (寇 謙 之), 231
Krishna, 239
Kuan Chung (管 仲), 152, 153, 157, 188
Ku Tung-lin (顧 亭 林), 275
K'uei (夔), Shun's minister of music, 148
Kuei-ku Tzŭ (鬼 谷 子), 153
Kumārila, 239
Kung-shu Tso (公 叔 座), 198, 208
Kung-sun Chia (公 孫 賈), 199
Kung-sun Chiao (公 孫 喬), see Tzŭ Ch'an
Kung-sun Hung (公 孫 弘), 219

Kung-sun Yang (公孫鞅), 141, 152, 153, 154, 197–209, 219
K'ung An-kuo (孔安國), 218
Kung Chi (孔伋), *see* Tzu Ssu
K'ung Ch'iu (孔丘), *see* Confucius

Lao Tzŭ (老子), 141, 152, 153, 180–6, 187, 223, 224, 227, 231, 275, 284
Lazarus, 31, 34
Leibnitz, 62–3, 64, 71
Lenin, Nicholas, 285
Leo III, Pope, 39
Leo X, Pope, 46
Leucippus, 20
Li Chi-ts'ai (李之才), 257
Li Êr (李耳), *see* Lao Tzu
Li Shao-chün (李少君), 224, 228
Li Ssŭ (李斯), 190, 212–14, 215
Li T'ung, *see* Li Yen-p'ing (李侗)
Li Yen-p'ing (李延平), 258, 259
Lieh Tzŭ (列子), 294
Liu An (劉安), *see* Huai Nan Tzŭ
Liu Lung (劉舉), 227 f.
Liu Nien-t'ai (劉念臺), 274
Liu Pang (劉邦), *see* Kao Ti, Han
Liu Peh-sun (劉白水), 259
Lu Yen-ch'ung (魯連仲), 259
Lu Tzu (魯肅), 145
Lo Ts'ung-yen (羅從彥), 258, 259
Locke, 43, 59–64, 69, 71, 82, 89, 119, 173
Louis XIV, of France, 65, 66 f.
Louis XV, of France, 66 f.
Louis XVI, of France, 66 f.
Lu, Prince, of Ming, (明魯王), 274
Lu Chia (陸賈), 216, 217
Lu Hsiang-shan (陸象山), 268, 269
Lü, Marquis, (呂侯), 150
Luan Ta (欒大), 224, 226
Luther, 46–8, 50
Lycophron, the sophist, 19

Ma Tuan-lin (馬端臨), 224
Machiavelli, 45–8, 56
Mahâ-pajâpati, 251
Martin V, Pope, 44
Marx, 83, 103–110, 294
Mary, Queen from Holland, 59
Mencius (孟子), 141, 149, 157, 167–74, 175, 177, 179, 180, 189, 193, 196 f., 220, 269, 275, 276, 277
Meng K'o (孟軻), *see* Mencius
Micah, 28
Mill, James, 119, 129
Mill, John Stuart, 35 f., 88, 119, 129–135, 138
Milton, 3, 52
Ming Ti, Han, (漢明帝), 223, 227
Mo Ti (墨翟), *see* Mo Tzu
Mo Tzu (墨子), 141, 152, 168, 190–7, 291
Mohammed, 39, 47, 210–11
Montesquieu, 43, 49, 64–6, 67 f., 83
Moses, 25–7
Mu, Duke, of Ch'in, (秦穆公), 152, 198
Mu, King, of Chou, (周穆王), 150
Mu Shou (繆生), 257

Napoleon, 87, 92
Nest-dweller (有巢), 143

Otto I, Holy Roman Emperor, 39 f.
Ovid, 23
Owen, Robert, 109

Paley, William, 120
Pao P'u Tzŭ (抱朴子), 290
Paul the Apostle, 36
P'an Ku (盤古), 142
Peter the Apostle, 39
Philip the Fair, of France, 44
Pilate, 33
P'ing, King, of Chou, (周平王), 151
Plato, 8, 9, 10–15, 16, 18, 25, 74, 131, 167, 223
Proudhon, 104, 294
Pythagoras, 15

Rāhula, 241, 243, 250
Rama, Prince, 239
Rāmānuja, 240
Ricardo, 109
Rousseau, 43, 65–70, 71, 79, 82, 83, 92, 113 f., 173, 181, 185

Saint-Simon, 104, 109, 110
Samuel, 27
Sankara, 238
Saul of Tarsus, see Paul the Apostle
Shan T'ao (山濤), 227 f.
Shang, Lord, (商君), see Kuang-sun Yang
Shang Chun (商均), 148
Shao Yung (邵雍), 257, 258, 259, 261, 263
Seneca, 23
Shaftesbury, Lord, 59
Shen Nung (神農), 144
Shih Huang Ti, Ch'in, (秦始皇帝), 180, 212, 214, 216, 226
Shih Tsung, of Later Chou (後周世宗), 255
Shu-sun T'ung (叔孫通), 216–17
Shun (舜), 145–7, 149, 165, 175, 176, 188, 276, 278, 287, 288
Shun-yü Yueh (淳于越), 213
Siao Ho (蕭何), 216
Siddhartha, see Gautama Buddha
Sita, Princess, 239
Smith, Adam, 63–4, 68, 109, 120, 125, 126
Socrates, 11, 167
Solomon, King, of Israel, 6, 27, 29, 150
Spencer, 67, 88, 119, 130, 135–9
Spinoza, 43, 58–9, 71, 73, 90 f.
Ssŭ-ma Ch'ien (司馬遷), 144, 199 f.
Stephen, the martyr, 35
Su Ch'in (蘇秦), 153, 154, 168
Suddhodana, King, 241
Sun Yat-sen (孫逸仙), 165 f., 254, 279–297, 300

T'ai Tsu, Sung, (宋太祖), 255
T'ai Tsung, Sung, (宋太宗), 255
T'ai Wu Ti, of Later Wei (後魏太武帝), 231
Tan (旦), see Chou, Duke of
Tan Chu (丹朱), 145
T'an Ssŭ-tung (譚嗣同), 165 f.
T'ang, King, of Shang, (商湯王), 149, 157, 172, 179, 196, 278
T'ao Hung-ching (陶弘景), 231
T'ao Yuan-ming (陶淵明), 238
Tathāgatha, see Gautama Buddha

Thales, 9
Thomas Aquinas, 39–41, 46
Thucydides, 71
T'ien Ch'ieh-ch'ih (田 千 秩), 238
T'ien Ho (田 和), 153
Ting, Duke, of Lu, (魯 定 公), 155
Toba K'uei (拓 跋 珪), 230
Ts'ang Chieh (蒼 頡), 145
Tsao Tse (曹 植), 218–19
Ts'ao Shan (曹 參), 216, 226
Ts'ao Ts'ao (曹 操), 238
Tsêng Tzŭ (曾 子), 161
Tu Chih (杜 摯), 198
Tung Chung-shu (董 仲 舒), 219–221
Tzŭ Ch'an (子 產), 161, 169
Tzŭ Hsia (子 夏), 165
Tzŭ Kung (子 貢) 156
Tzŭ Sze (子 思), 162–3, 167, 168
Tzŭ Ying (子 嬰), 214

Varro, 23
Virgil, 23

Wang An-shih (王 安 石), 256
Wang Ch'ung (王 充), 226
Wang Jung (王 戎), 227 f
Wang Yang-ming (王 陽 明), 254, 267–273, 274, 275, 276, 300
Wei Po-yang (魏 伯 陽), 224, 229
Wei Chung-hsien (魏 忠 賢), 274
Wên, Duke, of Chin, (晉 文 公), 152
Wên, King, of Chou, (周 文 王), 148, 150, 157, 171, 278, 287, 288
Wên, Marquis, of Chin, (晉 文 侯), 151
Wên Ti, Han, (漢 文 帝), 218
William, King from Holland, 59, 60
Wilson, Woodrow, 284
Wolff, 71
Wu, King, of Chou, (周 武 王), 149, 150, 156, 157, 172, 179, 196
Wu Ti, Han, (漢 武 帝), 143, 219, 221, 223, 225, 230
Wu Ti, Liang, (梁 武 帝), 231
Wu, Duke, of Wei, (衛 武 公), 151
Wyclif, 44, 45

Yang Chu (楊 朱), see Yang Tzu
Yang Hsiung (揚 雄), 226
Yang Kuei-shan (楊 龜 山), 258, 259
Yang Tzŭ (楊 子), 141, 153, 186–190, 227
Yao (堯), 145, 149, 157, 165, 175, 176, 184, 275, 276
Yasa, 249, 250
Yasodharâ, 241, 243, 250
Yellow Emperor, see Huang Ti
Yen Yuan (顏 淵), 159
Yi (益), Yü's minister, 148
Yi, Earl, (伯 夷), Shun's minister of music, 147
Yi Chiu (宜 臼), see King P'ing
Yin, Duke, of Lu, (魯 隱 公), 151
Yoritomo (頼 朝), 211
Yu, King, of Chou, (周 幽 王), 150
Yü (禹), 147, 148, 157, 176, 275, 276
Yüan Chi (阮 籍), 227 f.
Yüan Hsien (阮 咸), 227 f.
Zeno, the Stoic, 20, 31–33, 130, 131

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CLASSIFIED INDEX

A. PSYCHOLOGY

I. GENERAL AND DESCRIPTIVE

		Page
The Mind and its Place in Nature	C. D. Broad, Litt.D.	3
The Psychology of Reasoning	Professor S. Bernfeld	6
Thought and the Brain	Professor Henri Piéron	10
Principles of Experimental Psychology	Professor Henri Piéron	14
Integrative Psychology	William M. Marston	16
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The Nature of Laughter	J. C. Gregory	9
The Psychology of Time	Mary Sturt	7
Telepathy and Clairvoyance	Rudolf Tischner	8
The Psychology of Philosophers	Alexander Herzberg	19
Inspiration and the Unconscious	J. M. Montmorency	17

II. EMOTION

Emotions of Normal People	William M. Marston	13
The Psychology of Emotion	J. T. MacCurdy, M.D.	9
Emotion and Insanity	S. Thalbitzer	6
The Measurement of Emotion	W. Whately Smith	4
Pleasure and Interest	A. H. B. Allen	15
The Laws of Feeling	F. Paulhan	16
The Conscious Mind	M. Laignel-Lavastine	18

III. PERSONALITY

Personality	E. G. Gordon, M.D.	9
The Normal Personality	E. G. Gordon, M.D.	11
Physique and Character	E. Kretschmer	5
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Constitution-Types in Delinquency	W. A. Willemse	18
The Psychology of Character	A. A. Roback	10
Problems of Personality	(Edited by) A. A. Roback	8

IV. ANALYSIS

Conflict and Dreams	W. H. R. Rivers, F.R.S.	4
Individual Psychology	Alfred Adler	6
Psychological Types	C. G. Jung	8
Contributions to Analytical Psychology	C. G. Jung	13
The Sexual Basis of Consciousness	Trigant Burrow, M.D.	13
The Trauma of Birth	Otto Rank	14
The Development of the Sexual Impulses	E. S. Hoag-Cyrle	15
Character and the Unconscious	J. H. van der Hoop	5
Problems in Psychopathology	T. W. Mitchell, M.D.	11

V. SOUND AND COLOUR

The Philosophy of Music	William Pole, F.R.S.	5
The Psychology of a Musical Prodigy	G. Revesz	7
The Effects of Music	(Edited by) Max Schoen	11
Colour-Blindness	Mary Collins, Ph.D.	8
Colour and Colour Theories	Christine Ladd-Franklin	13

VI. LANGUAGE AND SYMBOLISM

Language and Thought of the Child	Professor Jean Piaget	9
The Symbolic Process	John F. Markey	13
The Meaning of Meaning	C. K. Ogden and I. A. Richards	5
Principles of Literary Criticism	I. A. Richards	7
Mencius on the Mind	I. A. Richards	14
Bentham's Theory of Fictions	C. K. Ogden	10
Creative Imagination	Professor Jean E. Downey	12
Dialects	Mortimer J. Adler	19
Human Speech	Sir Richard Paget	14
The Spirit of Language	K. Vossler	19

VII CHILD PSYCHOLOGY, EDUCATION, Etc. Page

The Growth of the Mind	*Professor E. Kaffka*	7
Judgment and Reasoning in the Child	*Professor Jean Piaget*	11
The Child's Conception of the World	*Professor Jean Piaget*	13
The Child's Conception of Causality	*Professor Jean Piaget*	15
The Moral Judgment of the Child	*Professor Jean Piaget*	19
The Growth of Reason	*F. Lorimer*	14
Educational Psychology	*Cyril Burt*	9
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The Mental Development of the Child	*Professor Karl Bühler*	15
The Psychology of Children's Drawings	*Helga Eng*	17
Eidetic Imagery	*Professor E. R. Jaensch*	15
The Psychology of Intelligence and Will	*H. J. Watt*	16
The Dynamics of Education	*Sir Fabian Ware*	19
The Basis of Learning	*Professor Gustav Humphrey*	19

VIII. ANIMAL PSYCHOLOGY, BIOLOGY, Etc.

The Mentality of Apes	*Professor W. Köhler*	7
The Sexual Life of Monkeys and Apes	*S. Zuckerman*	18
Sexual Life in the Animal World	*Professor F. Alverdes*	10
The Psychology of Animals	*Professor F. Alverdes*	18
The Social Insects	*Professor W. Morton Wheeler*	12
How Animals Find Their Way About	*Professor E. Rabaud*	13

Theoretical Biology	*J. von Uexküll*	16
Biological Principles	*J. H. Woodger*	14
Biological Memory	*Professor E. Hering*	6

IX. ANTHROPOLOGY, SOCIOLOGY, RELIGION, Etc.

Psychology and Ethnology	*W. H. R. Rivers, F.R.S.*	10
Melanesia, Magic and Religion	*W. H. R. Rivers, F.R.S.*	4
Psychology and Politics	*W. H. R. Rivers, F.R.S.*	4
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The Primitive Mind	*C. R. Aldrich*	17

The Psychology of Religious Mysticism	*Professor J. H. Leuba*	7
Religious Conversion	*Professor Sante de Sanctis*	11

B. PHILOSOPHY

Philosophical Studies	*Professor G. E. Moore*	4
The Philosophy of 'As If'	*Hans Vaihinger*	6
The Mimic of Mind	*Karin Stephen*	4
Tractatus Logico-Philosophicus	*Ludwig Wittgenstein*	4
The Analysis of Matter	*Bertrand Russell, F.R.S.*	13
Five Types of Ethical Theory	*C. D. Broad, Litt.D.*	16
Ethical Relativity	*Professor E. A. Westermarck*	18
Chance, Love and Logic	*C. S. Peirce*	5
Speculations	*T. E. Hulme*	9
Metaphysical Foundations of Modern Science	*Professor E. A. Burtt*	1
Possibility	*Karl Pearson*	13
The Nature of Life	*Professor E. Rignano*	15
Foundations of Geometry and Induction	*Jean Nicod*	14
The Foundations of Mathematics	*F. P. Ramsey*	14

C. SCIENTIFIC METHOD

I. METHODOLOGY

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